State of Alaska
FY2010 Governor's Operating Budget

Department of Environmental Conservation
Performance Measures

Contents

Department of Environmental Conservation

Mission

Protect human health and the environment.

Core Services

- Develop and enforce standards for protection of the environment.
- Provide controls and enforcement for the prevention and abatement of pollution to the environment.
- Provide controls and enforcement to protect citizens from unsafe sanitary practices.

End Result	Strategies to Achieve End Result
A: The Environment is Protected. Target #1: Reduce the impacts of new and historical pollution to land and water. Status #1: 62% of the State's polluted land and waterbodies have been restored for public use as of the end of FY 2008, a 3.6% increase from FY 2007. Target #2: All municipal solid waste facilities are authorized by the Department of Environmental Conservation. Status #2: While 100% of Class I and Class II municipal solid waste facilities within Alaska have the required authorization from the State to operate, less than 25% of Class III facilities have been authorized, showing a significant area of need. Target #3: The volume of oil spilled from regulated facilities and vessels in Alaska that are required to have approved contingency plans will not exceed 10% of the total volume of oil spilled. Status #3: Less than 4% of the total volume of oil spilled in FY 2008 was from regulated facilities and vessels with approved contingency plans.	**A1: Contain and Cleanup Pollution in the Environment.** Target #1: 98% of new oil and hazardous substance spills are cleaned up or are in monitoring status. Status #1: Over 99% of new spills in FY 2008 were cleaned up or are in monitoring status. Target #2: 25% of polluted waterbodies have active stewardship, protection and restoration activities each year. Status #2: In FY 2008, 39% of polluted waterbodies had active stewardship, protection and restoration activities, a 9% increase from the previous year. **A2: Control Pollution to the Environment.** Target #1: For communities that have vehicle Inspection and Maintenance (I/M) programs, 95% of vehicles are found to be in compliance with tailpipe emission requirements. Status #1: Over 95% of the vehicles inspected for tailpipe emission compliance, known as the I/M program, were found in compliance in FY 2008, a 5% compliance improvement in two years. Target #2: 100% of DEC permit-holders are current and in compliance with permit requirements. Status #2: 73% of water facility, water quality and air quality permit-holders are current and in compliance with permit requirements. **A3: Enforce Pollution Controls.** Target #1: 100% of criminal violations are investigated and successfully resolved. Status #1: 54% of environmental criminal crimes that took place in FY 2008 were successfully investigated

	and resolved within the same fiscal year. Target #2: No violations are found during inspections of regulated/permitted facilities and operators. Status #2: 80% of environmental plan/permit holders were without violations in FY 2008.
End Result	**Strategies to Achieve End Result**
B: Citizens are Protected. Target #1: Keep all unsafe food out of the marketplace. Status #1: In FY 2008, over 56,000 pounds of dairy, seafood and retail foods were detained. Target #2: No days when air is unhealthy for sensitive groups. Status #2: The number of days the air is unhealthy for sensitive groups remains less than two weeks a year. Target #3: 100% of the population served by a public water system (PWS) is served by systems in compliance with health-based standards. Status #3: During FFY 2008, 94% of the population served by public water systems was served by those in compliance with health-based standards. Target #4: 100% of serviceable rural Alaska homes are served by safe and sustainable sanitation facilities. Status #4: The Village Safe Water Program has seen an annual average increase of 2.5% for serviceable rural Alaska homes served by safe and sustainable sanitation facilities over the past nine years; nearly 90% being served by the end of FY 2008.	**B1: Reduce Health Related Needs** Target #1: 2.5% increase in rural sanitation health related deficiencies met each year. Status #1: Due to the continuing increase in rural sanitation health related deficiencies each year and the continuous decline of funding available to meet these needs, there has been a continuous decline in the number of health related deficiencies met each year. **B2: Control Safe Sanitary Practices.** Target #1: 100% of permitted retail food establishments are inspected at least once each fiscal year. Status #1: In FY 2008, 35% of permitted retail food establishments were inspected. Target #2: Increase the number and types of tests performed to support public health assessments. Status #2: 81,721 tests were performed by the Environmental Health Laboratory in FY 2008, a decrease from previous year but an increase in the types of tests performed. Target #3: 2% annual increase in the number of regulated systems that comply with water supply system operator certification requirements. Status #3: The operator certification program has seen a 5% increase in two years for the number of regulated systems that comply with water supply system operator certification requirements. **B3: Enforce Safe Sanitary Practices.** Target #1: 100% of inspected permitted retail food establishments are found to have staff with required food safety training and certification. Status #1: Approximately 75% of inspected permitted retail food establishments were found during inspection to have staff meeting food safety training and certification requirements.

Major Activities to Advance Strategies

- Develop and implement protective standards.
- Provide statewide support systems and information management.
- Provide assurances of safe sanitary conditions.

Major Activities to Advance Strategies

- Respond to, contain, and cleanup incidents of pollution to the environment.
- Provide effective and efficient permit and inspection programs.
- Enforce compliance fairly and consistently statewide.

FY2010 Resources Allocated to Achieve Results

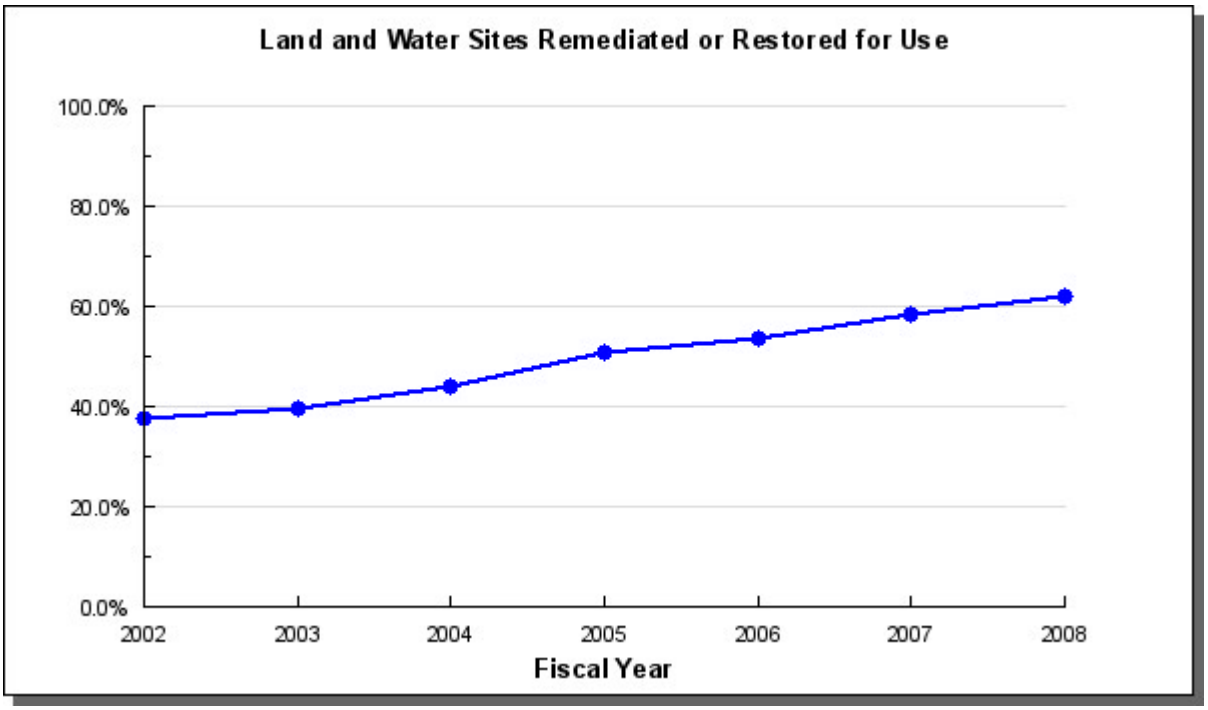
FY2010 Department Budget: $74,135,000

Personnel:	
Full time	532
Part time	1
Total	533

Performance

A: Result - The Environment is Protected.

Target #1: Reduce the impacts of new and historical pollution to land and water.
Status #1: 62% of the State's polluted land and waterbodies have been restored for public use as of the end of FY 2008, a 3.6% increase from FY 2007.



Methodology: This measure includes data related to Category 4 and Category 5 polluted waters that were restored each fiscal year as well as active contamination sites that were closed or restored for use during the same fiscal year.

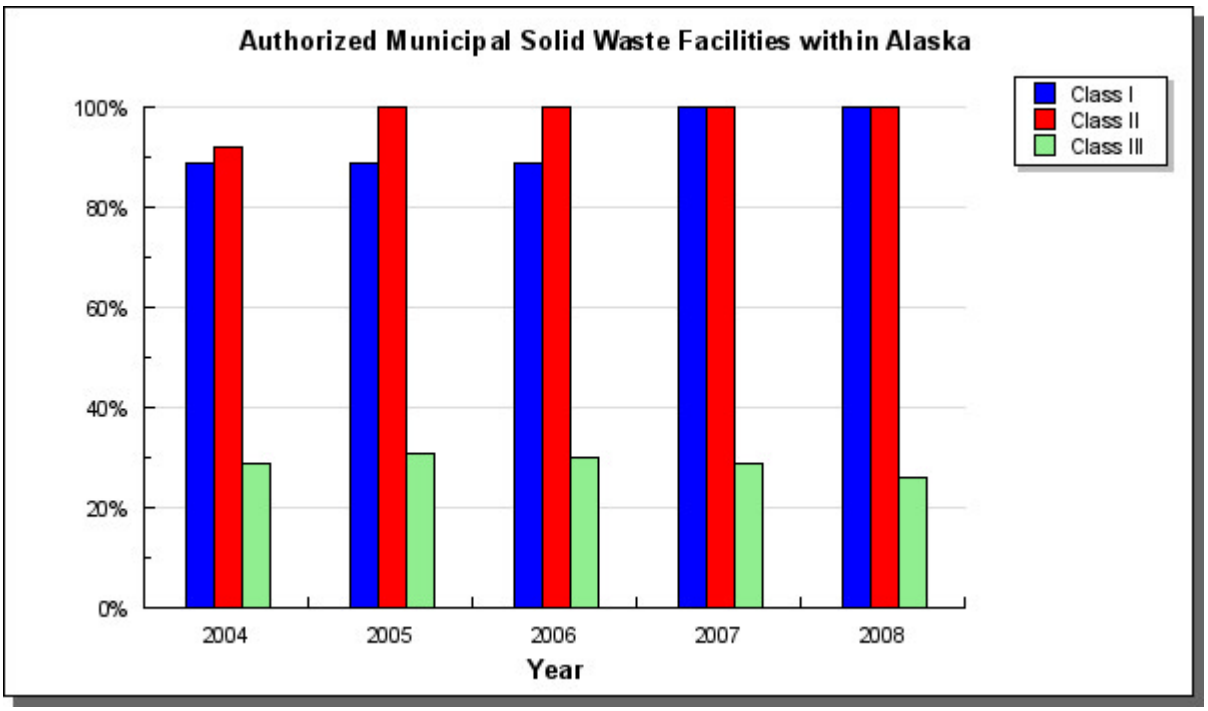
Analysis of results and challenges: The number of polluted waters has slowly declined since 2002. More waters have been restored than have become polluted during this period. The challenge in reducing the number of polluted waters is recognizing that pollution is a dynamic situation. Even as polluted waterbodies are being restored, new waterbodies may become polluted due to the growth in Alaska's population and the associated urban development. Pollution pressures are also being seen in rural areas that are heavily used for recreation, tourism and fishing. The key to making progress in reducing the number of polluted waters is to control pollution before it reaches the

environment through wastewater discharge permits, best management practices and other controls for non-point source pollution (i.e. small sources that are not controlled by permits such as motor boats).

The number of open sites contaminated with oil or hazardous substances has also declined while the overall number of active contaminated sites continues to grow as new historical sites are discovered and transferred from the Spill Response Program to the Contaminated Sites Program within the Department's Spill Prevention and Response Division. The complexity of existing projects and associated closures, the level of resources available to provide regulatory oversight and the cleanup itself continue to be challenges faced in closing and restoring sites for use by the public.

In FY 2008, there were 62 contaminated waterbodies and 2,445 open historical contaminated sites. 8 waterbodies and 312 historical contamination sites were restored.

Target #2: All municipal solid waste facilities are authorized by the Department of Environmental Conservation.
Status #2: While 100% of Class I and Class II municipal solid waste facilities within Alaska have the required authorization from the State to operate, less than 25% of Class III facilities have been authorized, showing a significant area of need.

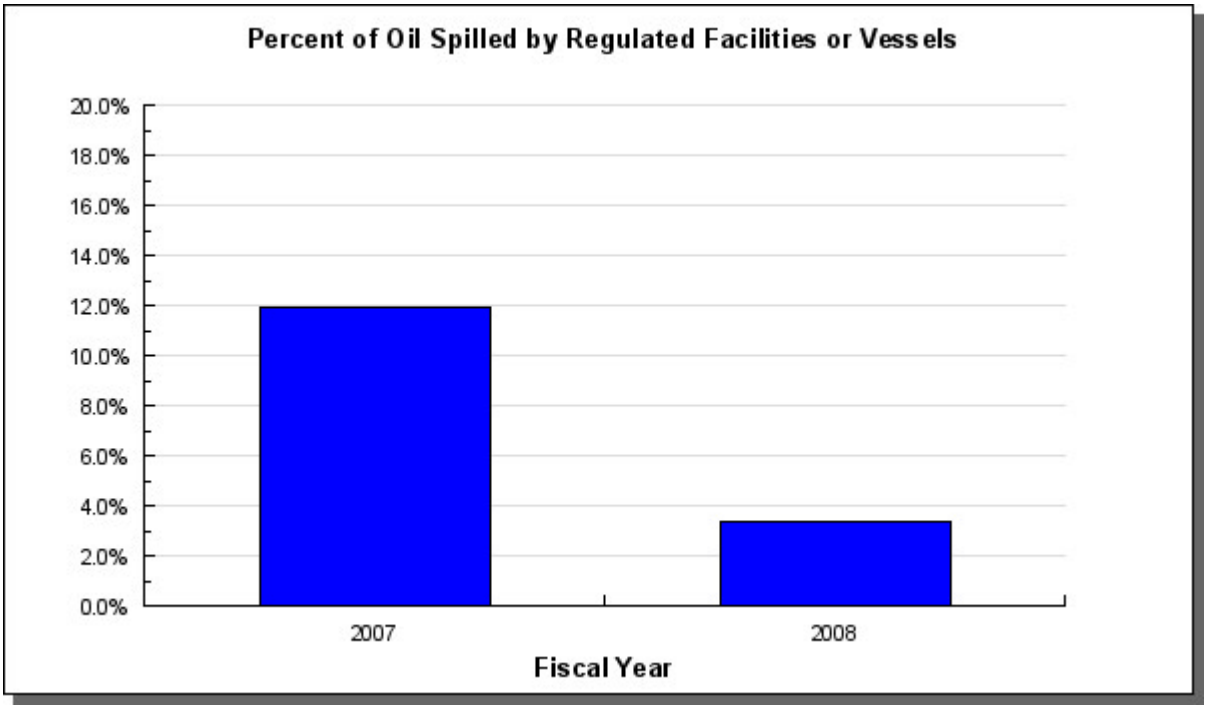


Methodology: The measure is calculated by dividing the number of authorized landfills in each classification by the total number of landfills in each classification.

Analysis of results and challenges: Municipal landfills are classified based on the average daily intake of waste and include Class I (greater than 20 tons/day), Class II (5 to 20 tons/day), and Class III (less than 5 tons/day) landfills. In FY 2008, the total number of municipal landfills included 7 Class I landfills, 13 Class II landfills, and 222 Class III landfills. Despite the relatively higher number of facilities, only about 10% of the municipal waste generated in Alaska is disposed in Class III landfills. All municipal landfills are required to have either a permit or other DEC authorization to ensure that the landfill's design and operational practices comply with regulatory standards. Compliance with the standards is what marks the difference between an approved landfill and an open dump.

As documented in the graph, all of Alaska's Class I and Class II landfills have current permits to operate, but only about 25% of Class III landfills are currently authorized. DEC is working to increase the rate of compliance for Class III landfills by simplifying the permitting process, which can be difficult for small communities with limited resources. However, implementing this simplified process has been delayed. That delay accounts for the slight decline in permitted Class III landfills as some permit holders are waiting for the simplified application process before renewing their expired permits.

Target #3: The volume of oil spilled from regulated facilities and vessels in Alaska that are required to have approved contingency plans will not exceed 10% of the total volume of oil spilled.
Status #3: Less than 4% of the total volume of oil spilled in FY 2008 was from regulated facilities and vessels with approved contingency plans.



Methodology: From the spills database extract total volume of oil spilled by fiscal year. Then extract total volume of oil spilled from a regulated component of a regulated facility. Calculates the % of the total oil spilled that spilled from regulated component.

Percent of Oil Spilled by Regulated Facilities or Vessels

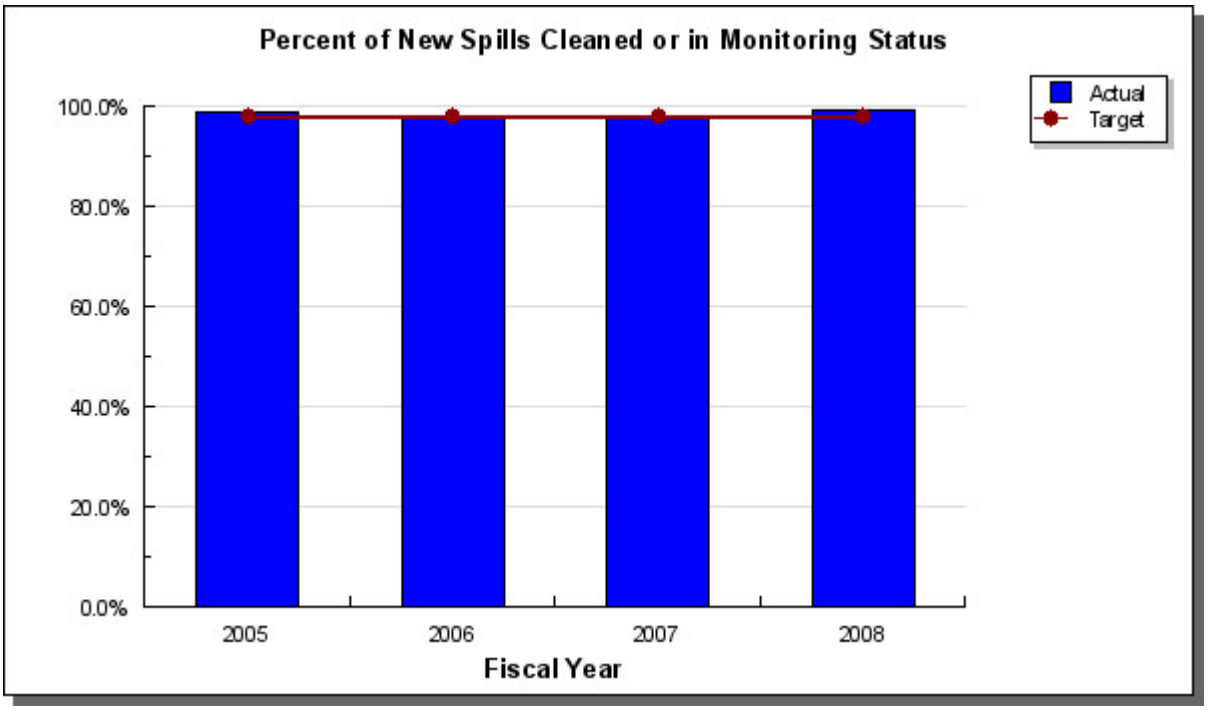
Fiscal Year	Gallons from Regulated	Gallons from All Spills	Percent from Regulated
FY 2008	8,099	237,223	3.4%
FY 2007	16,884	141,449	11.9%

Analysis of results and challenges: Industry components regulated by the Industry Preparedness Program (IPP) are found in oil exploration, production facilities, refineries, railroads, crude oil pipelines, terminals, tank farms and tankers, non-crude oil tank vessels and barges, and non-tank vessels. The regulatory authority IPP employs is through the requirement of industry oil discharge prevention and contingency plans. Contingency plans require the use of particular technologies and best practices to prevent spills of oil.

In FY 2007 the high percentage is attributed to spills that occurred at the Prudhoe Bay Oil Field, Kuparuk Oil Field and at the Milepost 178.6 of the Trans-Alaska Pipeline System. It was in FY 2007 that the Greater Prudhoe Bay Oil Field, the largest oilfield in the United States, was temporarily shut down.

A1: Strategy - Contain and Cleanup Pollution in the Environment.

Target #1: 98% of new oil and hazardous substance spills are cleaned up or are in monitoring status.
Status #1: Over 99% of new spills in FY 2008 were cleaned up or are in monitoring status.

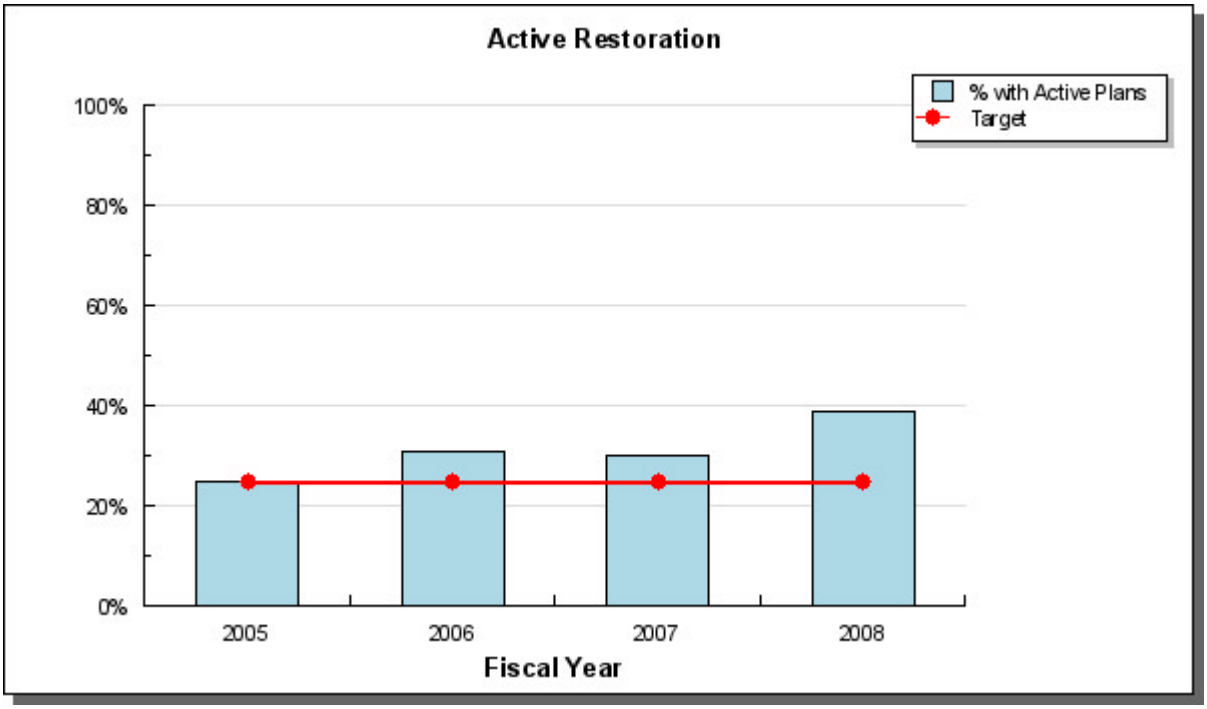


Methodology: The percent of new spills cleaned or in monitoring status is determined each year by dividing the number of new spills cleaned up by the total number of new spills.

Analysis of results and challenges: When spill cases are in monitoring status, they have been cleaned to a point that allows continued use of the spill site and no longer present a threat of contaminant movement to groundwater or to adjacent properties. Frequently, this will include removing and storing contaminated soils, which are monitored during field visits until soil treatment has reduced the contamination levels to that which meets acceptable state standards.

The FY 2008 data indicates over 99% of new spills are contained, cleaned up, or are in monitoring status.

Target #2: 25% of polluted waterbodies have active stewardship, protection and restoration activities each year.
Status #2: In FY 2008, 39% of polluted waterbodies had active stewardship, protection and restoration activities, a 9% increase from the previous year.



Methodology: Stewardship, protection and restoration projects may be conducted by grantees who have received funds through the Alaska's Clean Water Actions (ACWA) grant program, by contractors, by other State agencies, or by DEC personnel. The number of these projects is then divided by the number of total polluted waters as determined in the Integrated Water Quality Monitoring and Assessment Report to calculate the percentage of waters with active restoration projects.

Analysis of results and challenges: The number of stewardship, protection and restoration projects has remained relatively stable since 2005: 18 projects were completed in FY 2005, 22 projects in FY 2006, 21 projects in FY 2007, and 24 projects in FY 2008. Over the same period, the number of polluted waterbodies has declined from 71 polluted waters in 2005 to 62 polluted waters in 2008. Therefore, the percentage of polluted waters for which the state has ongoing projects has risen slightly over this period.

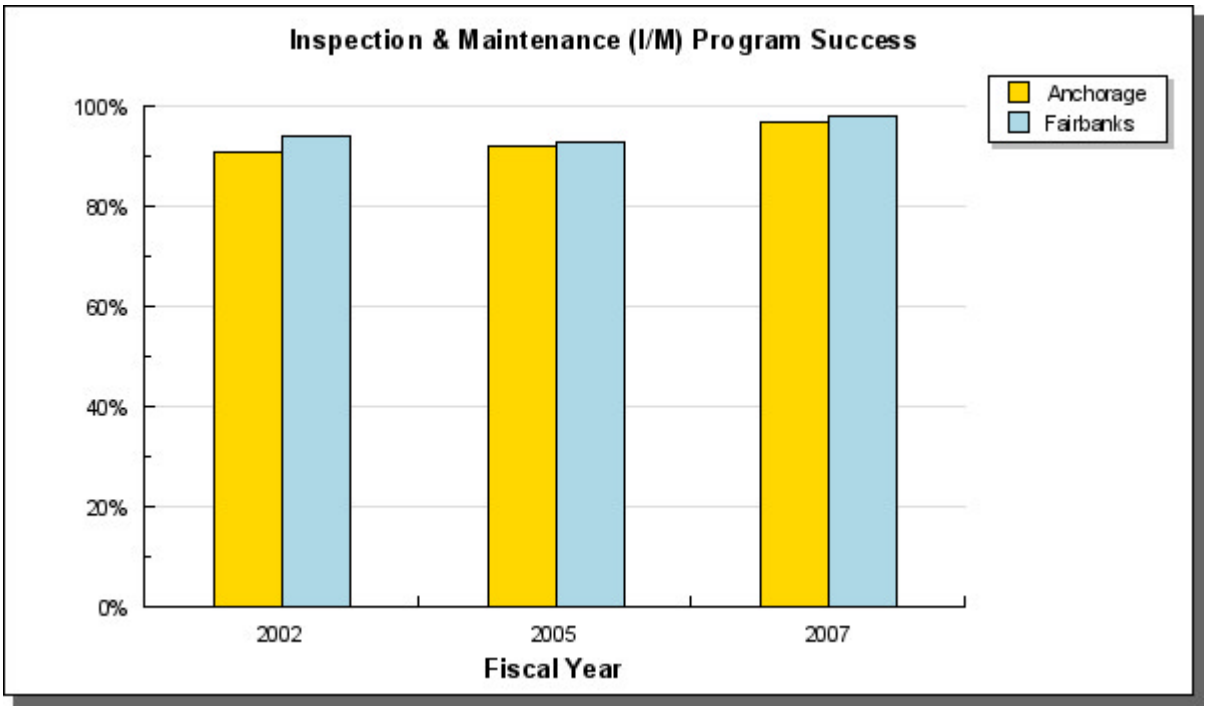
Prioritizing actions on threatened and polluted waters is done through the Alaska Clean Water Act (ACWA) program, which is a cooperative effort of DEC, DF&G and DNR. The ACWA program provides a consolidated approach for a complete assessment of the health and status of any particular waterbody. Likewise, it provides a means to coordinate the use of State funds so that they can be directed to those projects that truly represent the State's highest priorities.

The challenges for the ACWA grant program include maintaining the participation level of multiple agencies using diverse and changing funding sources to achieve the joint mission of protecting Alaska's water resources for the designated uses of drinking, fishing, and recreation. The original funding source (EPA grant) has been declining, which is expected to continue over the next few years. While each new funding source has a relation to water protection, only the EPA grant has the flexibility to apply to all water protection and restoration projects. General funds are not used to fund the ACWA grants, but are used as match to federal funding for some restoration projects accomplished by contractors, other state agencies and DEC.

A2: Strategy - Control Pollution to the Environment.

Target #1: For communities that have vehicle Inspection and Maintenance (I/M) programs, 95% of vehicles are found to be in compliance with tailpipe emission requirements.

Status #1: Over 95% of the vehicles inspected for tailpipe emission compliance, known as the I/M program, were found in compliance in FY 2008, a 5% compliance improvement in two years.

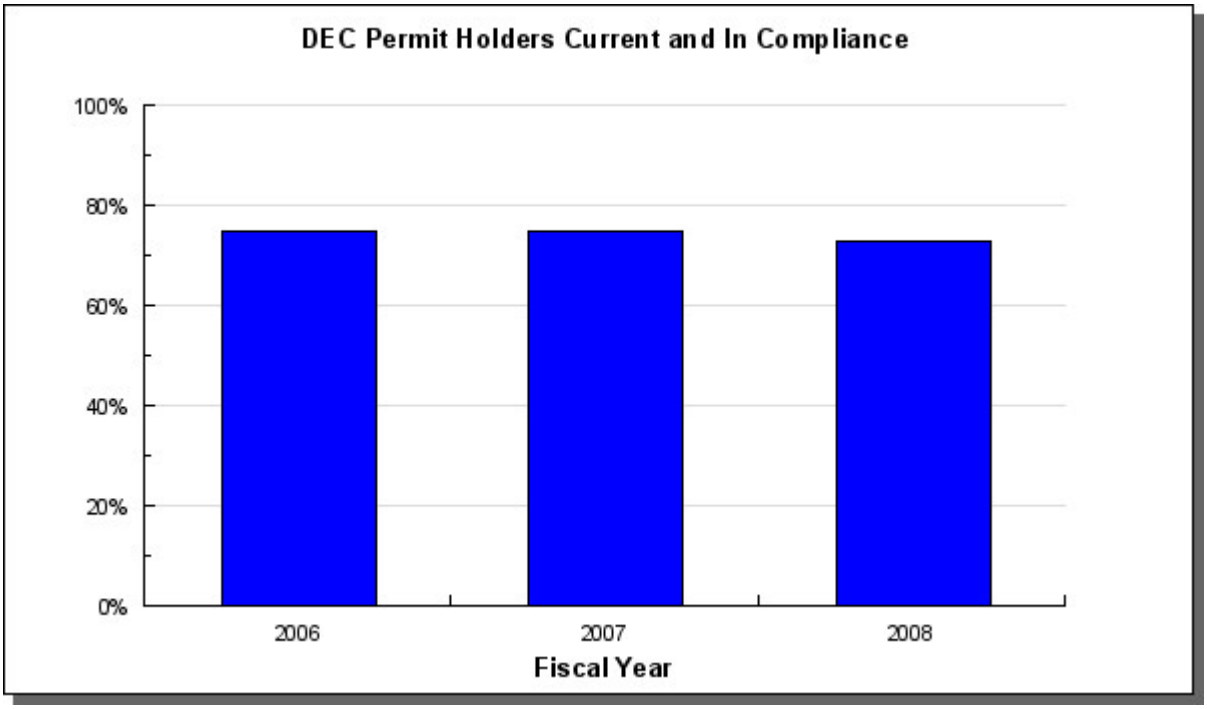


Methodology: A visual survey of in-use vehicles is conducted every other year in Anchorage and Fairbanks, recording the license plate and windshield information. Compliance rates are calculated from the data collected. The compliance rate is the ratio of the total number of vehicles found to be in compliance with the I/M program versus the total number of vehicles sighted during the survey that are required to meet the I/M requirements.

Analysis of results and challenges: Results indicate that efforts by local communities, the Department of Environmental Conservation and the Division of Motor Vehicles to educate and enforce I/M requirements are working. Compliance rates are at their highest levels since the start of the local programs in the mid 1980's. These compliance rates meet the commitment made in the State Air Quality Control Plan.

Challenges revolve around the continued necessity for education and enforcement as long as programs are in place. This is due to people moving in and out of I/M areas and the incentive for individuals to either evade or be out of compliance when costly vehicle emission component repairs are required.

Target #2: 100% of DEC permit-holders are current and in compliance with permit requirements.
Status #2: 73% of water facility, water quality and air quality permit-holders are current and in compliance with permit requirements.



Methodology: Data includes operator certifications, water discharge permits, Corps of Engineers 404 permits and air quality permits.

Analysis of results and challenges: The Department issues a variety of permits to help ensure operators are doing their part to help protect the environment and citizens from pollution. Each program monitors to ensure permit-holders are current and in compliance with the requirements of those permits through inspections and reviews of permit renewal applications.

For the water supply system operator certification program, which ensures operators have the qualifications necessary to meet the responsibility of safeguarding public health, a compliance rate of 62% was achieved in FY 2008.

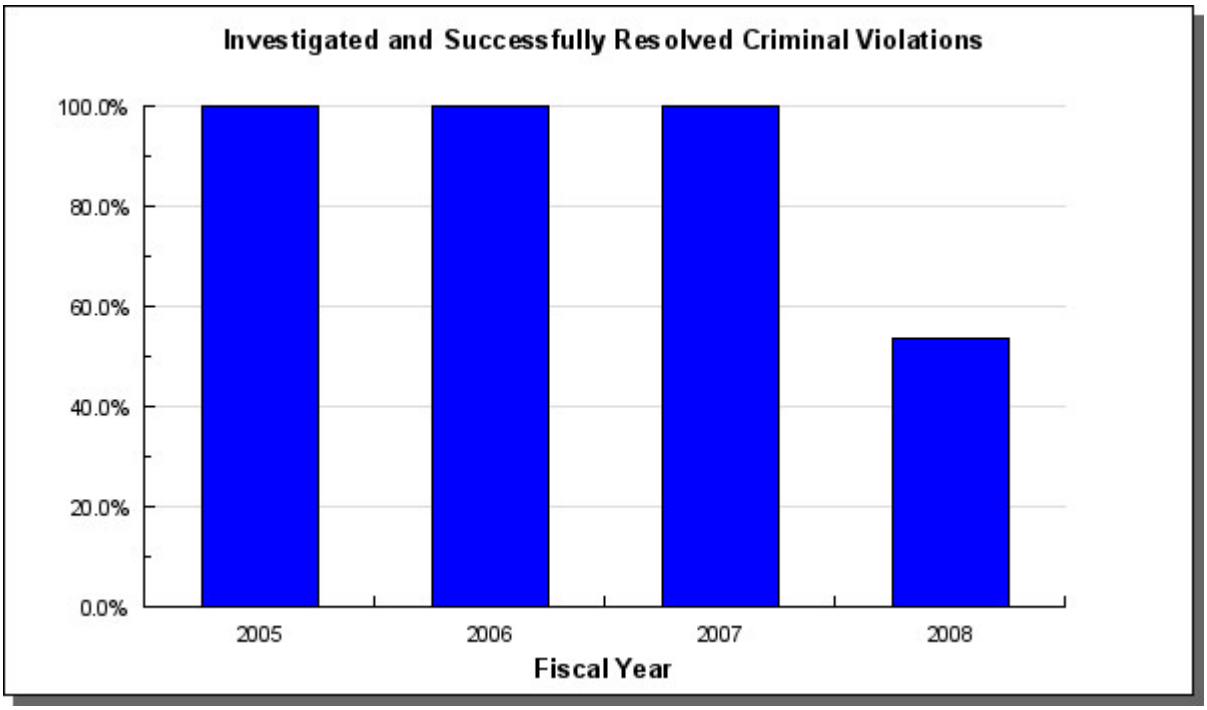
The water discharge program regulates permits for domestic wastewater, seafood processing, fish hatcheries, and log-transfer facilities. The Department is in the process of inheriting responsibility for these types of permits from the EPA and while compliance is currently 61%, that rate is expected to fluctuate as new permit holders and backlogged permits are inherited from the EPA in the coming years.

The Army Corps of Engineers dredge and fill ("404") permits ensure that wetland fill issued by the Corps do not negatively impact the water quality through provisions of the Clean Water Act. Many routine Army Corps projects are not reviewed since the agencies have agreed upon standard protective measures for them. Larger projects do require review, although the Department can waive review if impacts from them are considered minor. In FY 2008, 80% of these permits were certified.

The air quality permit program requires major and some minor stationary sources' compliance be tracked. Under federal compliance reporting, status reverts to "unknown" if compliance is not evaluated in the past two years for major sources or five years for minor sources. These sources are assumed to be in compliance for the purposes of this measure as the majority of the sources are minor sources not required to be evaluated under the state and federal compliance assurance agreement. In FY 2008, 91% were compliant.

A3: Strategy - Enforce Pollution Controls.

Target #1: 100% of criminal violations are investigated and successfully resolved.
Status #1: 54% of environmental criminal crimes that took place in FY 2008 were successfully investigated and resolved within the same fiscal year.



Methodology: Criminal violations investigated and successfully resolved by the Department's Environmental Crimes program.

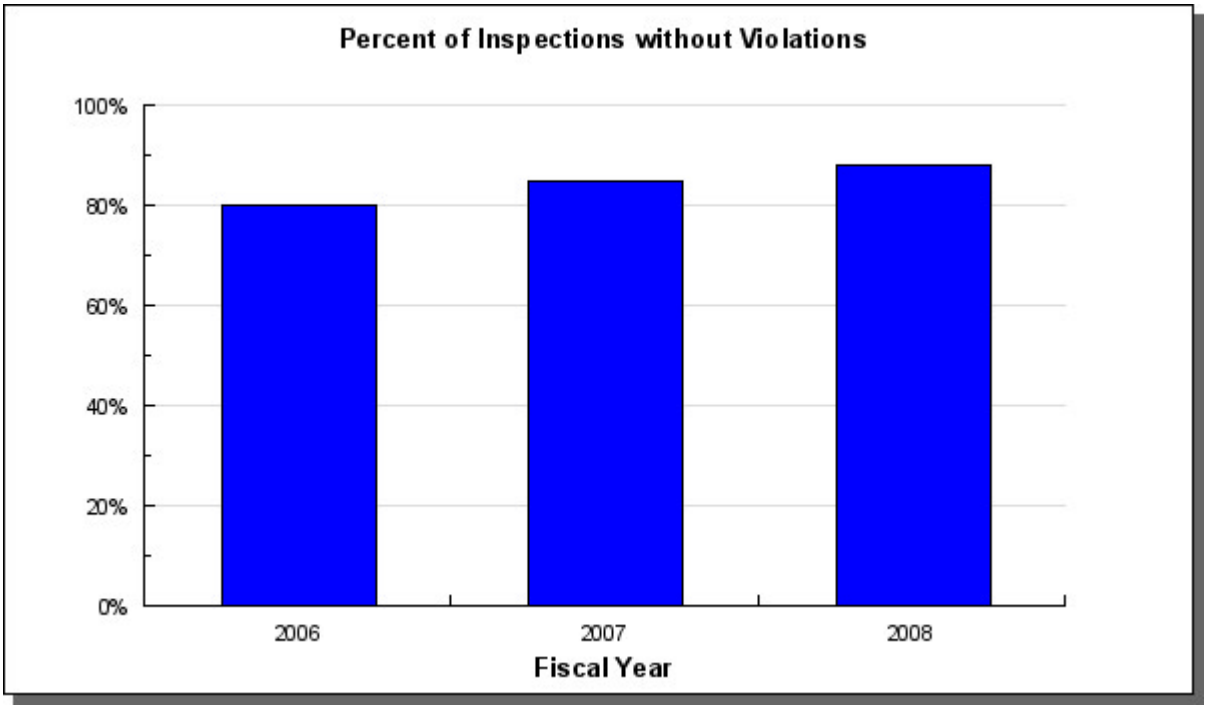
Analysis of results and challenges: Normally environmental violations are enforced by DEC's regulatory staff through administrative or civil remedies. However, when harmful conduct becomes intentional, knowing, or reckless, criminal enforcement must be considered.

The Environmental Crimes Unit is responsible for investigating the most complex and egregious violations of environmental law. Violators must be identified and sufficient evidence collected in order to successfully resolve an investigation. The effectiveness of this unit can be measured by its ability to successfully resolve a high percentage of reported criminal violations.

There were 13 criminal investigations initiated by the Environmental Crimes unit in FY 2008. Of those 13 investigations 7 have been resolved. The remaining cases were still under investigation at the end of the fiscal year, thus the percentage of criminal investigations successfully investigated and resolved for FY 2008 is at 53.8%.

Due to the complexities of many of these investigations, they are not resolved in the same fiscal year as reported, but will be resolved in the following fiscal year and will be reflected in the year the violation was received after being resolved. Therefore, previous year percentages continue to increase towards 100% as cases are resolved.

Target #2: No violations are found during inspections of regulated/permitted facilities and operators.
Status #2: 80% of environmental plan/permit holders were without violations in FY 2008.



Methodology: Data includes violations found through pesticide enforcement, vessel contingency plan reviews and drinking water facility inspections and follow-up requirements.

Analysis of results and challenges: Inspections are conducted by various programs within the Department to ensure permits, authorizations and regulations are being followed properly to minimize risk both to the environment and to people. When violations are found, a Notice of Violation is issued and items needing correction are often identified.

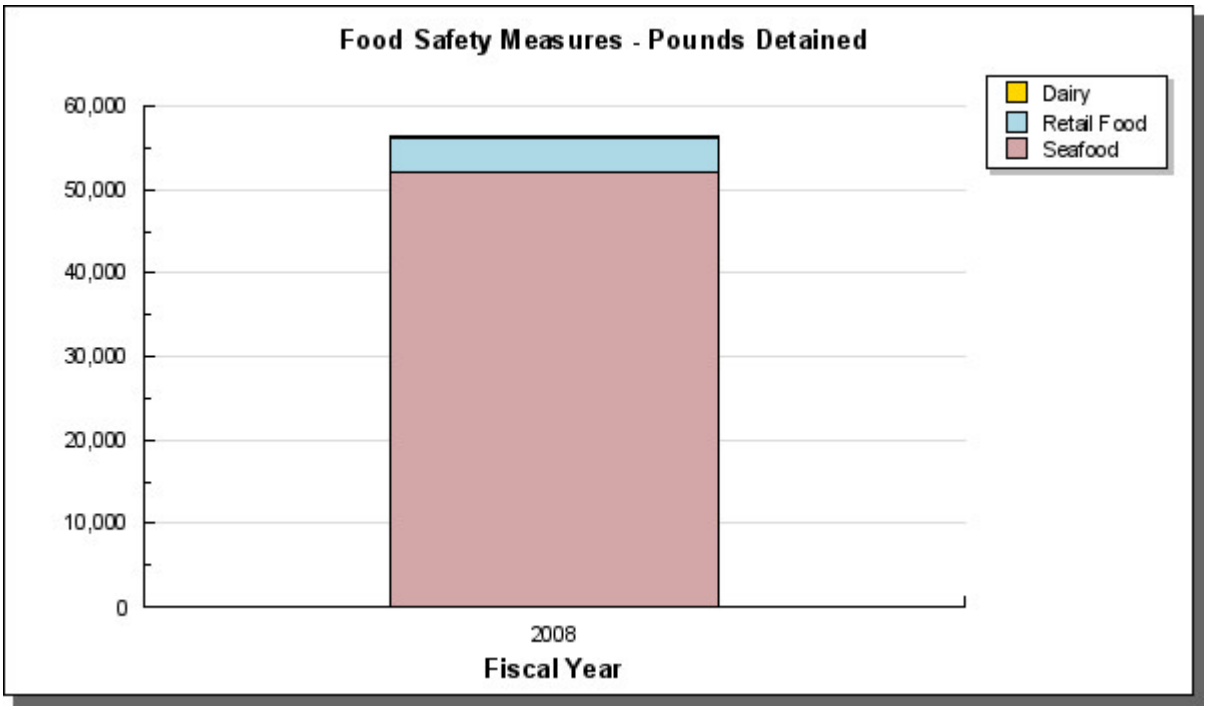
The Department inspections of pesticide use include the storage, sale, use, and disposal of the materials and containers and takes active enforcement actions when violations are found. Due to the nature of pesticides, strict compliance with the regulations and the product label is critical. Violators are individuals or facilities that are cited for a pesticide violation. In FY 2008, 3.6% of inspections resulted in a Notice of Violation being issued.

In the Spill Prevention and Response Division, facilities are required to have full contingency plans if they fall into one of the following categories: oil exploration and production facilities, refineries, railroads, crude oil pipelines, fuel terminals, crude oil tankers, non-crude tankers and barges. Vessels larger than 400 GRT (for example cruise ships with large cargo and fishing vessels) are also required to have contingency plans, but are subject to somewhat different requirements. Before approving a plan, the Department conducts a thorough review to ensure that all response requirements are addressed. During FY 2008 inspections, about 1% of non-tank vessels and 1.5% of regulated facilities were found to have major violations to their contingency plans.

The Drinking Water program supports technical assistance through training and approving the onsite inspectors, and also provides the service of completing sanitary surveys. However, if monitoring for contaminates, reporting, or sanitary surveys are not completed; the program is responsible for enforcement. Compliance and technical assistance actions are focused educational and information-oriented activities to increase Alaska public water system owners' and operator's abilities to more effectively operate their systems, thereby reducing the necessity for enforcement. In FY 2008, 2.4% of drinking water systems were issued a Notice of Violation.

B: Result - Citizens are Protected.

Target #1: Keep all unsafe food out of the marketplace.
Status #1: In FY 2008, over 56,000 pounds of dairy, seafood and retail foods were detained.



Methodology: Seafood pounds detained and retail food pounds detained are the sum of pounds reported detained or voluntarily destroyed as reported in the Food Safety and Sanitation Program "Digital Health Department" database.

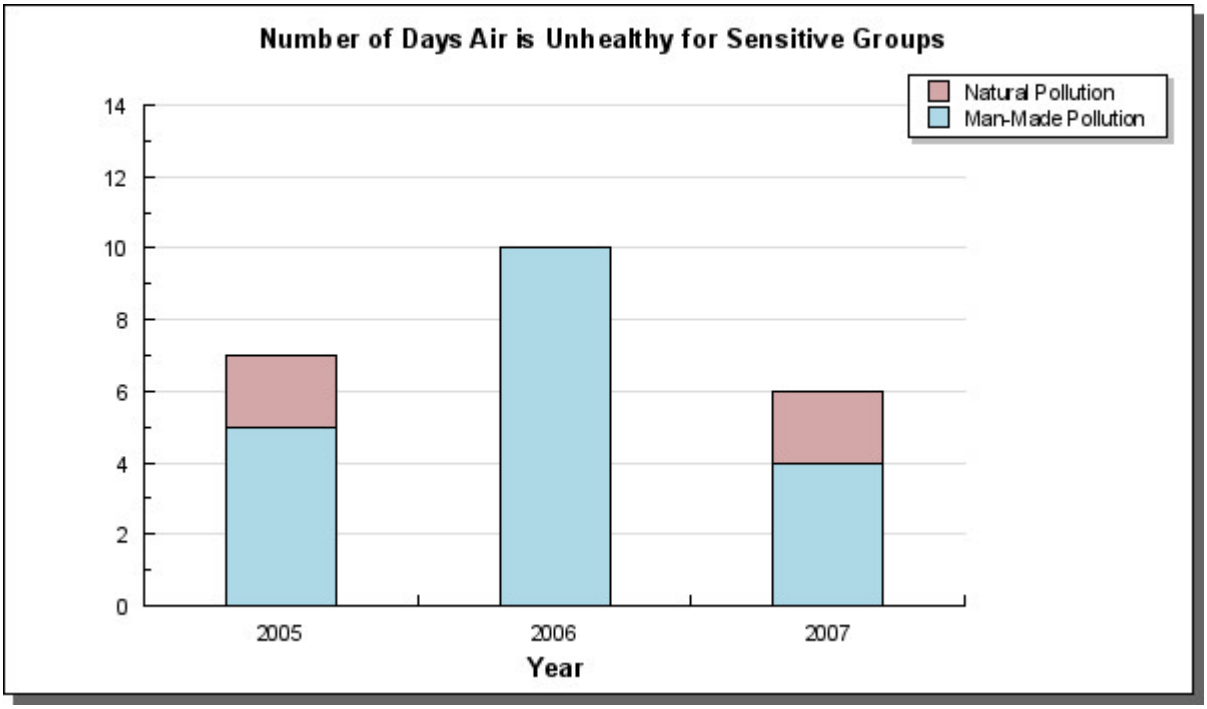
Food Safety Measures - Pounds Detained

Fiscal Year	Seafood	Retail Food	Dairy	Total Pounds
FY 2008	52,100	4,100	260	56,460

Analysis of results and challenges: Potentially unsafe food may be identified through inspections, complaints, routine testing of product or recalls. The measure only includes food which has been identified as unsafe. Unsafe food may be entering the marketplace due to infrequent inspections and lack of management control at the processor or establishment.

Reasons for unsafe food may include unapproved source, adulteration with contaminants or unapproved ingredients, improper processing, labeling or packaging. Depending upon the food safety problem, it may be possible to recondition the food, divert it to animal feed, or fix the labeling or packaging problem. If the problem cannot be fixed, the food is destroyed.

Target #2: No days when air is unhealthy for sensitive groups.
Status #2: The number of days the air is unhealthy for sensitive groups remains less than two weeks a year.



Methodology: Data is calculated using sampling information from samplers in the Municipality of Anchorage, City and Borough of Juneau, the Fairbanks North Star Borough and the Mat-Su Valley.

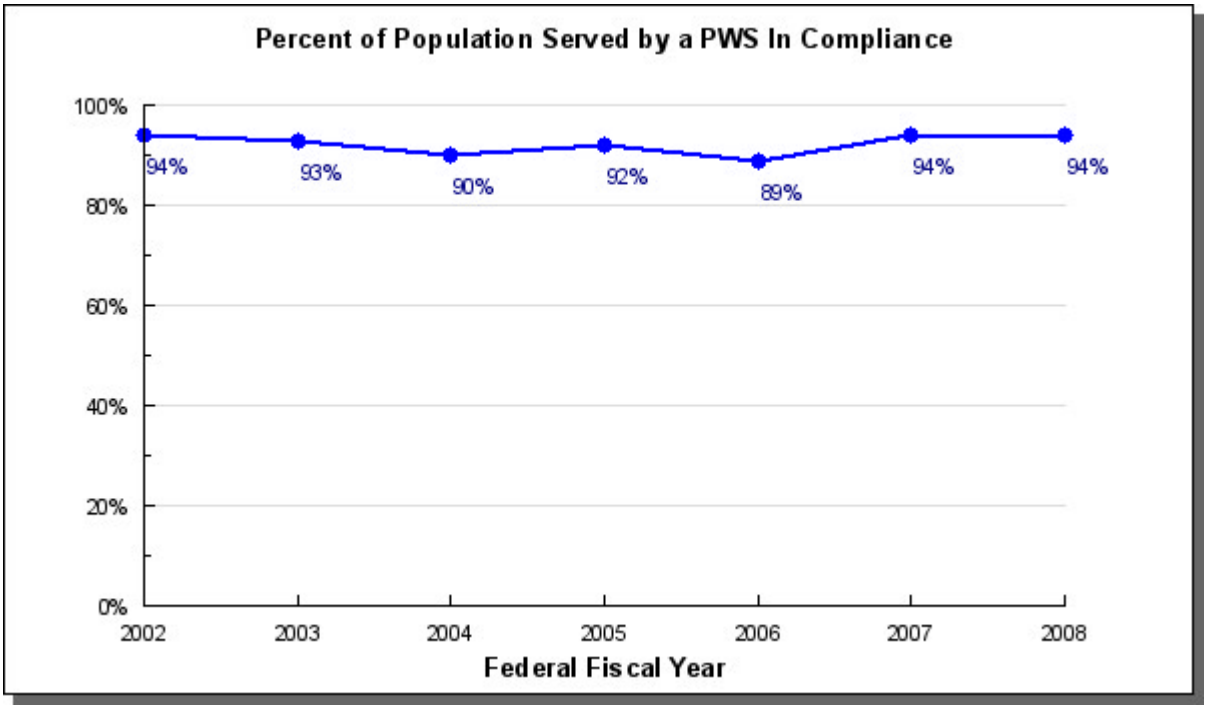
Analysis of results and challenges: The data for the 2008 calendar year will be available in March 2009.

DEC has been collecting ambient air data in most major communities around the state for over 25 years. Air monitoring is performed to ensure compliance with the National Ambient Air Quality Standards designed to protect public health. The U.S. EPA sets health based standards for particulate matter and gaseous pollutants. In the state, the pollutants of concern are carbon monoxide, fine particulate matter and coarse particulate matter. Violations of the standards occur when the concentration of air pollution rises above the limit set either through natural events or through emissions from man-made sources. Natural pollution includes smoke from wild fires (fine particulate matter called PM2.5), ash from volcanic eruption or windblown dust from gravel bars and other exposed gravel surfaces (coarse particulate matter called PM10). Man-made pollution is produced by exhaust from combustion processes, such as diesel and gas vehicle emissions and emissions from home heating systems like wood stoves.

The chart shows the number of days the air quality was unhealthy for sensitive groups, i.e. children, the elderly, and people with heart or lung disease, over the last 3 calendar years. In 2005 and 2007 the natural events were caused by windblown dust. Since 2000 no violations of the Carbon Monoxide (CO) standards have been recorded. More information about DEC air monitoring projects throughout the state, including PM10 and regional haze, can be found at http://www.dec.state.ak.us/air/am/index.htm.

Target #3: 100% of the population served by a public water system (PWS) is served by systems in compliance with health-based standards.

Status #3: During FFY 2008, 94% of the population served by public water systems was served by those in compliance with health-based standards.

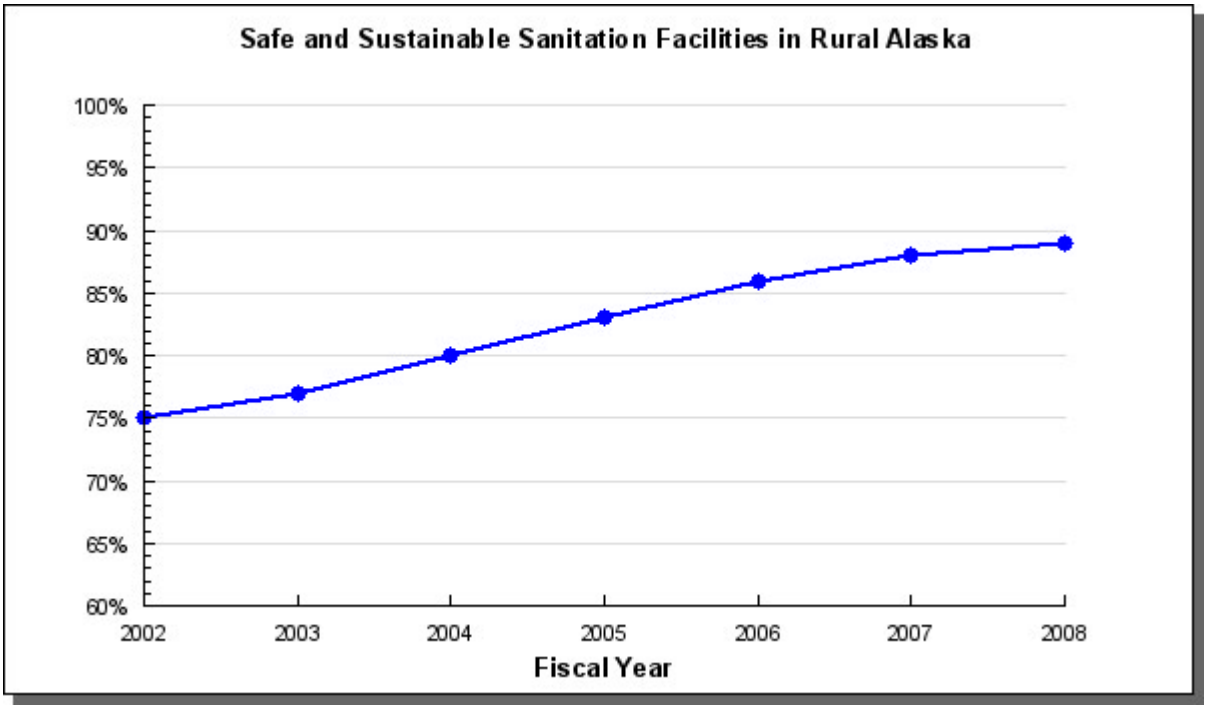


Methodology: The information reflected in this table is provided on an annual basis by the Environmental Protection Agency (EPA) after the end each federal fiscal year (typically October). The numbers being reported are the number of Public Water Systems that are in compliance with the health-based standards (Treatment Technique and Maximum Contaminant Level requirements).

Analysis of results and challenges: To address the threat of waterborne disease and provide for the protection of public health, the State of Alaska adopted the Safe Drinking Water Act (SDWA) requirements in 1978, making the Drinking Water Program responsible for implementation of the SDWA within the State. All federally regulated public water systems are required to be in compliance with the SDWA. Various health-based standards contained within the Act are designed to protect people from consuming unsafe drinking water. Health-based standards are EPA established limits for many chemical and radiological contaminants, called Maximum Contaminant Levels (MCLs), as well as microbiological contaminants. The MCL is an enforceable standard that all public water systems must meet in order to serve drinking water to the public. There are also various treatment technique criteria that public water systems must meet. Treatment techniques have to do with the way water is treated to make it potable and safe for human consumption. All of these criteria make up the health-based standards.

The Drinking Water Program offers a two-pronged approach of compliance assistance and enforcement, allowing staff to have appropriate oversight of the Public Water System (PWS) serving safe drinking water to as many people as possible. The increasing number of complex federal drinking water rules, such as Long Term 1 and 2 Enhanced Surface Water Treatment Rules, and the Disinfectant/Disinfections By-Products, Stage 2 Rule, challenges the resources of both the DW program and the PWS owners and operators. That accounts for the decrease in FFY 2006.

Target #4: 100% of serviceable rural Alaska homes are served by safe and sustainable sanitation facilities.
Status #4: The Village Safe Water Program has seen an annual average increase of 2.5% for serviceable rural Alaska homes served by safe and sustainable sanitation facilities over the past nine years; nearly 90% being served by the end of FY 2008.



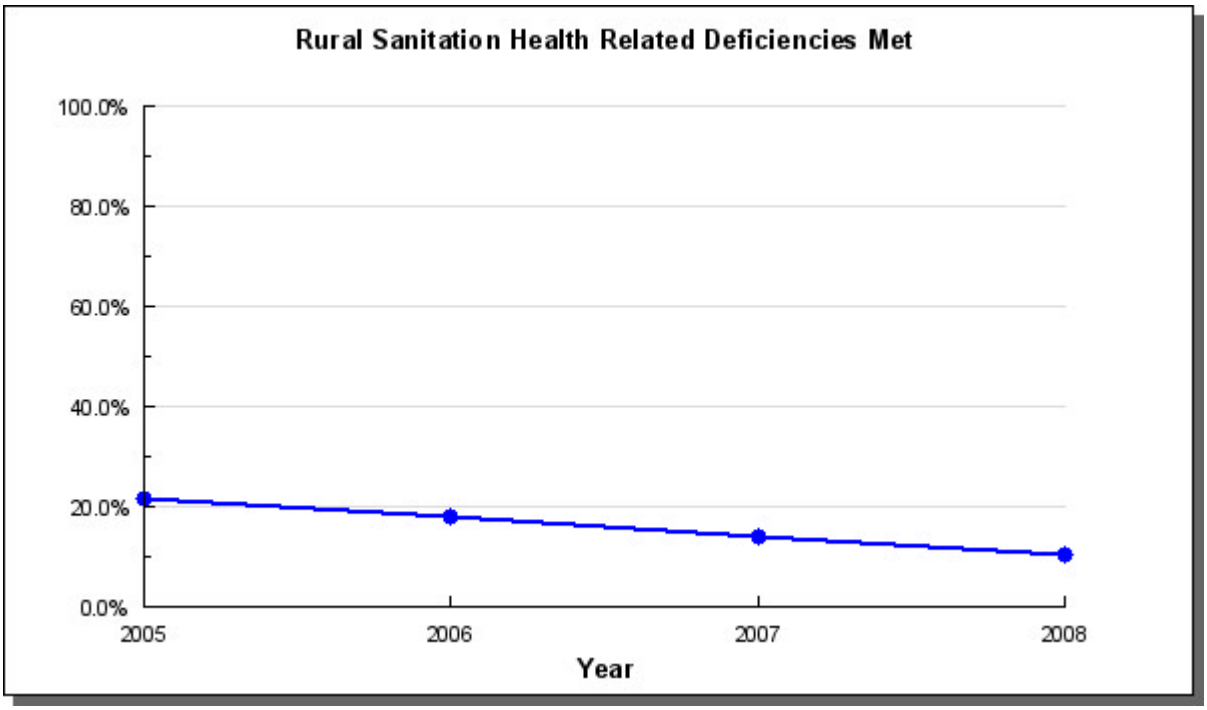
Methodology: Total number of serviceable housing units divided by total number of homes connected for service.

Analysis of results and challenges: By assisting communities plan, design and construct drinking water and wastewater infrastructure, the Village Safe Water (VSW) program is making progress in achieving its goal that 100% of serviceable rural Alaskan homes have access to safe and sustainable sanitation systems. A serviceable home is defined as a year-round occupied home located in an area where piped, closed haul or individual septic tanks/wells are feasible. A sanitation system is defined as sustainable if the community managing it has the financial, technical and managerial capacity to properly operate and maintain it over a period of time which equals or exceeds the system's design life.

Over the last nine years, the percentage of rural Alaska homes served by adequate sanitation systems has increased from 66% to 89%. This equates to an annual average increase of 2.5%. Contingent upon the availability of sufficient funding, the program's target is to maintain momentum at this rate.

B1: Strategy - Reduce Health Related Needs

Target #1: 2.5% increase in rural sanitation health related deficiencies met each year.
Status #1: Due to the continuing increase in rural sanitation health related deficiencies each year and the continuous decline of funding available to meet these needs, there has been a continuous decline in the number of health related deficiencies met each year.



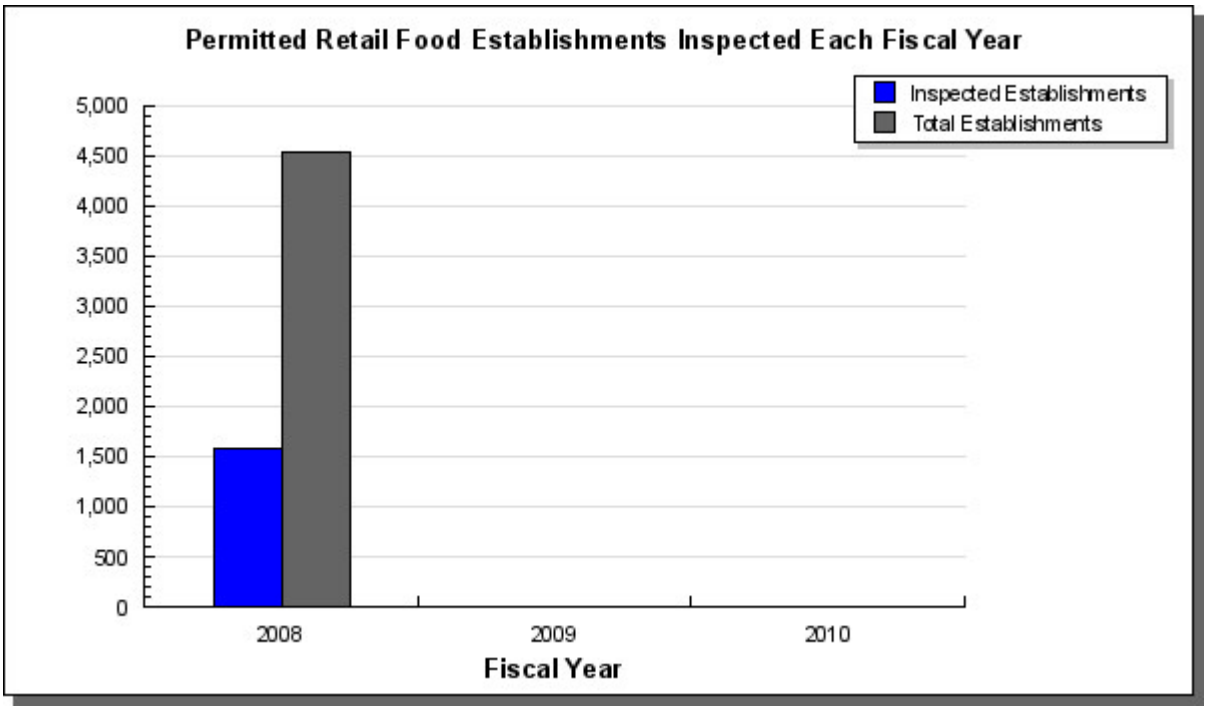
Methodology: Annual funding for sanitation improvements available divided by total health related need.

Analysis of results and challenges: Using State and federal funds, the Village Safe Water (VSW) program assists rural Alaska communities plan, design, and construct sanitation projects which address health related water and sewer deficiencies. Over the past several years, the estimated cost of addressing these deficiencies has increased significantly (due to inflation, regulatory changes and aging facilities), while funding has decreased.

In FY 2008, the total health related need was estimated at $592,300 while the total funding (State and federal) to meet those needs came in at $61,500. Therefore only 10% of health related deficiencies were met in FY 2008. In contrast, the total health related need in FY 2005 was $433,600 with total funding (State and federal) totaling $94,700, meeting approximately 22% of health related deficiencies in the state. Because of the increasing costs of these needs and the declining funding to meet those needs, this presents a challenge to increasing health related sanitation deficiencies met by an average of 2.5% annually. Achieving this goal will require sufficient funding, targeting resources to projects that will do the most good, and utilizing limited funding efficiently and effectively.

B2: Strategy - Control Safe Sanitary Practices.

Target #1: 100% of permitted retail food establishments are inspected at least once each fiscal year.
Status #1: In FY 2008, 35% of permitted retail food establishments were inspected.



Methodology: Sum of permitted food establishments and sum of permitted food establishments inspected once as reported in the Food Safety and Sanitation Program's "Digital Health Department" database. Note - does not include an approximate 500 temporary food establishments.

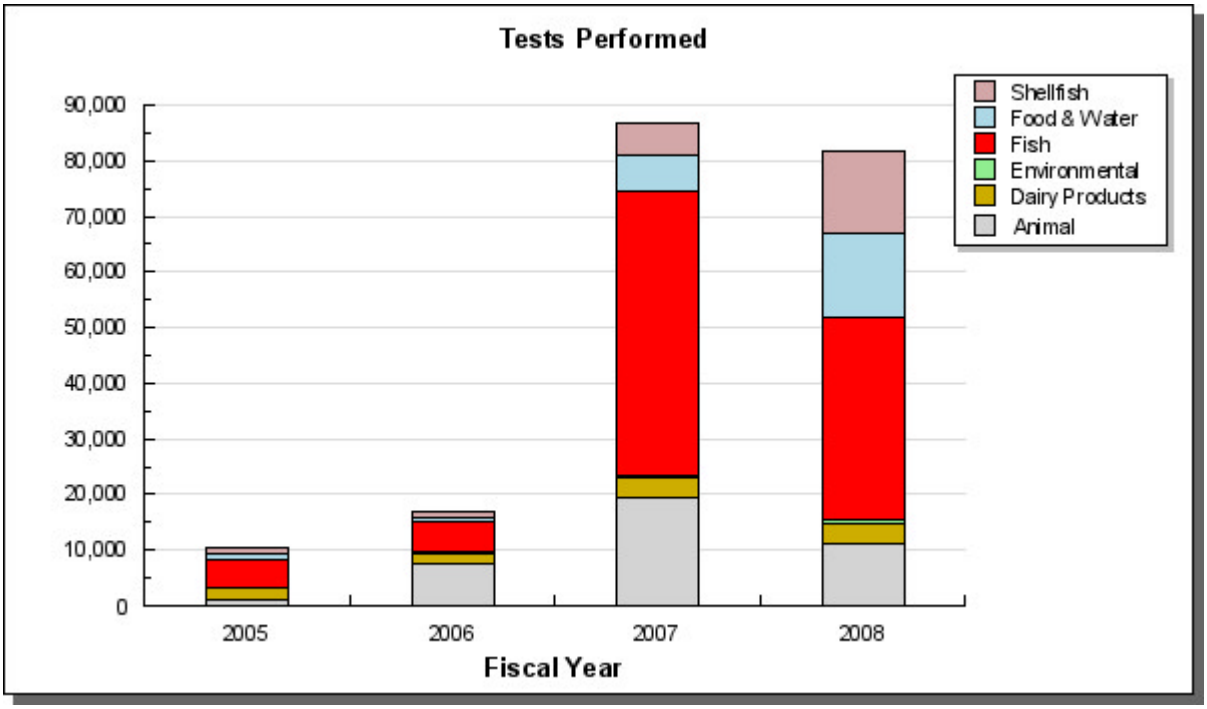
Analysis of results and challenges: The Food Safety and Sanitation Program has 24 full time equivalent field positions in ten offices statewide who undertake retail food inspections along with seafood and public facility sanitation inspections.

High risk facilities include establishments such as full service restaurants, nursing homes, and food processors. Medium risk facilities include quick service operations, schools not serving a highly-susceptible population, and retail food store operations. Low risk facilities include coffee stands, hot dog carts, and convenience store operations.

In FY 2008, there were 4,531 permitted permanent food establishments. During FY 2008, staff inspected 35% of those establishments. More specifically, they visited 41% of high risk retail food facilities (1271 facilities) and 33% of medium risk retail food facilities (1670 facilities). Low risk facilities (1670 facilities and 331 facilities not yet ranked) are only inspected when complaints are received or if the opportunity arises when in a community.

The 2005 Food and Drug Administration's Model Food Code, which is developed through the cooperation of industry and state and federal food regulators, recommends a minimum of three times a year for high risk facilities and twice a year for medium risk facilities. Low risk facilities should be inspected at least once a year.

Target #2: Increase the number and types of tests performed to support public health assessments.
Status #2: 81,721 tests were performed by the Environmental Health Laboratory in FY 2008, a decrease from previous year but an increase in the types of tests performed.



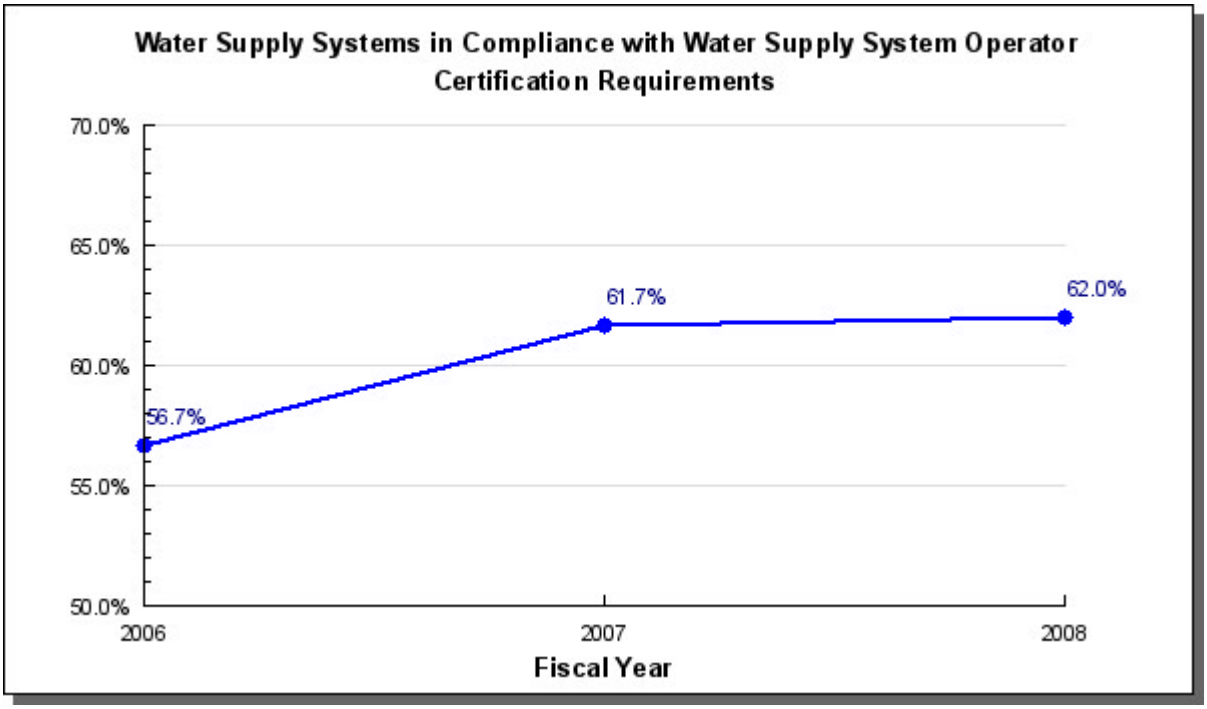
Methodology: All tests performed by the lab are logged and tracked from sample receipt through final testing and reporting.

Analysis of results and challenges: A new State Environmental Health Laboratory (EHL) became fully operational in January 2006. The state-of-the-art facility offers testing support on non-human samples, i.e. shellfish, food and water, fish, environmental, animal and dairy products. The purpose of the new facility was to bring increased capabilities and capacities to the State, which is clearly demonstrated in the statistical bar graphs from FY 2005 to FY 2008. Testing volume increased as the result of a myriad of factors: an International Standards Organization (ISO) based Quality Management Program requiring increased Quality Assurance and Quality Control (QA/QC) procedures, all new equipment requiring installation and validations, parallel testing for procedure validations, all new analysts training, and development of many new tests.

The changes are first evident in FY 2006, as animal testing increased with the start up of new molecular biology procedures for Avian Influenza and New Castle disease. In FY 2007, an agreement to perform Avian Influenza testing for the United States Department of Agriculture, Wildlife Service significantly increased animal testing. Also in FY 2007, fish tissue testing jumped 10-fold as new and more efficient multichannel chemistry analyzers provided testing support for state and federal projects. In FY 2007 and FY 2008, both food and dairy testing increased because of samples from new cheese and milk producers; shellfish and related testing grew as well. Organic fuel testing procedures were developed in FY 2008 for future demands; environmental testing increased from 22 to 693 tests, consisting of solely validation and developmental testing. The decrease in animal testing in FY 2008 is the result of a reduction in Avian Influenza samples submitted by State and Federal agencies as the sampling plan for Avian Influenza surveillance was changed; a similar decline in fish testing was the result of reduced Federal funding for analysis of non-salmon fish species in the Fish Monitoring Program.

Target #3: 2% annual increase in the number of regulated systems that comply with water supply system operator certification requirements.

Status #3: The operator certification program has seen a 5% increase in two years for the number of regulated systems that comply with water supply system operator certification requirements.



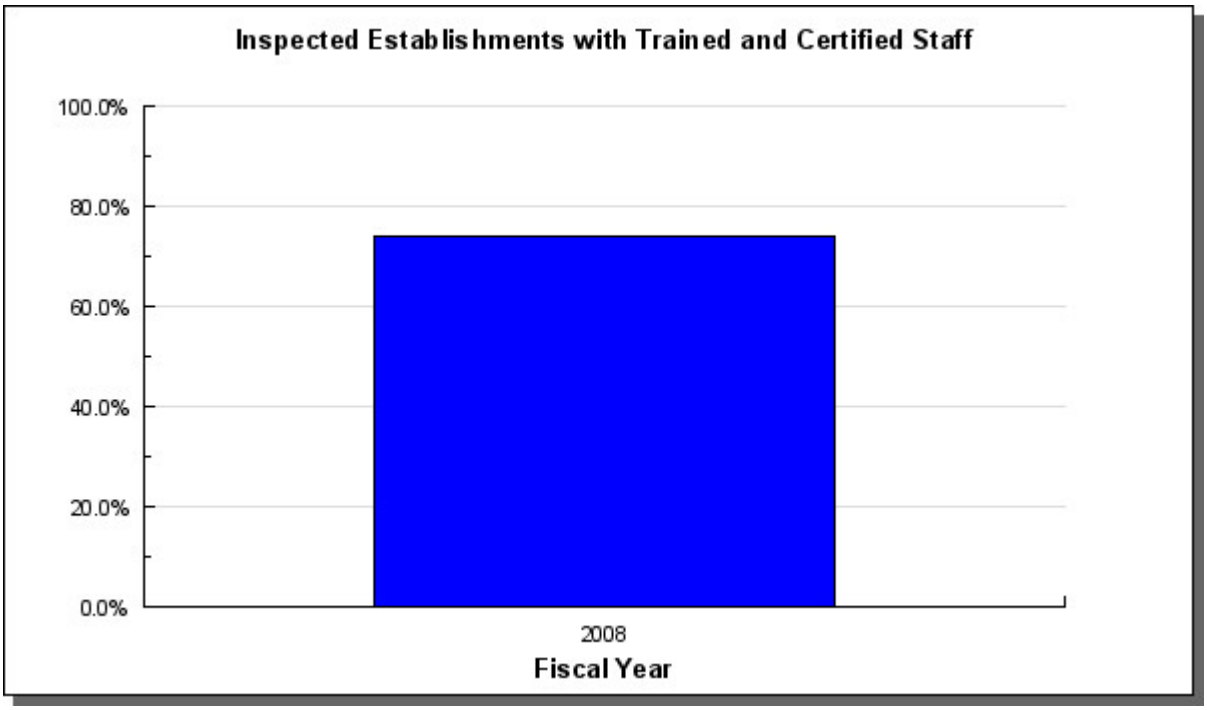
Methodology: The number of water supply systems that employ an operator certified at the correct level is divided by the total number of water supply systems that are subject to this requirement. This calculation yields a decimal, which is multiplied by 100 to arrive at a percentage of water supply systems that are in compliance with this requirement. In FY 08, 396 out of 639 systems or 62% were in compliance with this requirement.

Analysis of results and challenges: Water system operators are responsible for safeguarding public health. Certification validates that operators have the qualifications necessary to meet this responsibility. The State's Operator Certification (OC) program classifies water systems based on system size and complexity and determines whether operators have experience and knowledge commensurate with the system's classification. In order to assist operators with achieving certification, the OC program offers training and administers examinations.

Although the OC program oversees certification in water treatment, water distribution, wastewater treatment and wastewater collection, this measure is limited to drinking water supply system certification as it is related most directly to public health. This measure also excludes systems with less than 25 users or systems where users obtain water on a house by house basis (private wells or rain catchments) since these systems are not subject to operator certification requirements.

B3: Strategy - Enforce Safe Sanitary Practices.

Target #1: 100% of inspected permitted retail food establishments are found to have staff with required food safety training and certification.
Status #1: Approximately 75% of inspected permitted retail food establishments were found during inspection to have staff meeting food safety training and certification requirements.



Methodology: Data Collection began January 1, 2008; therefore this data only represents 7 months of the year. The total number of inspected establishments without either items 1 - Certified Food Protection manager, 2 - Person in Charge or, 3 - Food Worker Cards for all workers marked out as reported in Food Safety and Sanitation Program's "Digital Health Department" database. Calculated by dividing the number of establishments with safety training and certification by the number of inspected permitted establishments, as reported in the Food Safety and Sanitation Program's DHD database.

Analysis of results and challenges: The requirement for a workforce trained in food safety was established in the December 28, 2006 amendments to the Alaska Food Code. The requirement recognizes that primary responsibility for food safety lies with the food establishment which is procuring, storing, preparing and serving food on a daily basis. All food handlers must have basic food worker training and hold an Alaska Food Worker Card issued by the Food Safety and Sanitation Program. On-line training and testing is provided by the Food Safety and Sanitation Program. In addition, each establishment must have at least one Certified Food Protection Manager credentialed by a third party who is knowledgeable about food safety management practices and systems.

The program has done an aggressive industry education campaign and waived state food worker testing fees through December 2008 to encourage training. The program's online testing program is serving as a model for other food safety programs statewide. Achieving a 75% compliance rate in less than two years, with only a partial year of data collection is a measure of the program's success in implementing the new requirement.

Prioritization of Agency Programs

(Statutory Reference AS 37.07.050(a)(13))

As part of preparing the FY 10 agency budget request, each division director was instructed to prioritize his or her program and submit the results to the Commissioner's Office. The Commissioner formed a group of senior management staff to review the divisions' priorities and convert them into departmental priorities. Program priorities were listed using the department's performance results for protecting the environment and protecting Alaskans from unsafe sanitary practices as the primary ranking criteria. The priorities thus established for FY 10 are shown below.

1. Commissioner's Office
2. Finance/Budget/Procurement
3. Information Services
4. Air Permitting Program
5. Air Non-Point Mobile Sources and Monitoring Program
6. Drinking Water Program
7. Alaska Pollutant Discharge Elimination System Program
8. Food Safety and Sanitation
9. Water Quality Standards and Monitoring Program
10. Industry Preparedness Program
11. Office of the State Veterinarian
12. Prevention and Emergency Response
13. Climate Change
14. Environmental Health Laboratory
15. Contaminated Sites Program
16. Pesticides Program
17. Solid Waste Program
18. Operator Training and Certification Program
19. Environmental Crimes Unit
20. Remote Maintenance Worker Program
21. Municipal Grants and Loan Program
22. Village Safe Water Program
23. Response Fund Administration
24. Cruise Ship Program

Administration Results Delivery Unit

Contribution to Department's Mission

Provide administrative and information technology services, criminal and civil investigative support, policy direction to the divisions, and coordination of external support services to departmental programs.

Core Services

- Provide administrative support services to customers and clients of the department.
- Develop and implement sound administrative policies and practices fro the department.
- Work with the legislature on the department's budget and legislative priorities.
- Provide timely and accurate information.
- Minimize risk from operations.
- Provide civil and criminal investigative support for complex environmental violations.

Major Activities to Advance Strategies

- Lead the department to accomplish goals and communicate performance.
- Lead the development of protective standards.
- Work within the government and with stakeholders, the public and the legislature to communicate department initiatives and needs.
- Develop and maintain support services for the department's customers and clients, other agencies, the legislature and department employees.
- Identify departmental training needs and develop training plans.
- Develop enforcement procedures for departmental permitting programs.
- Develop and maintain policies and procedures governing financial, budget, procurement and information systems management.

FY2010 Resources Allocated to Achieve Results

FY2010 Results Delivery Unit Budget: $7,715,300

Personnel:	
Full time	56
Part time	0
Total	56

Component: Office of the Commissioner

Contribution to Department's Mission

Provide support and policy direction to the divisions in the department.

Core Services

- Develop partnerships and work cooperatively with the regulated community and other government and non-governmental stakeholders to protect human health and the environment.
- Lead department employees to accomplish department priorities and performance measures.
- Represent the department's authorities and responsibilities on the Governor's cabinet.
- Work with the legislature on the department's budget and legislative priorities.
- Represent the department's authorities and responsibilities on the Exxon Valdez Trustees Council.
- Adjudicate administrative appeals of department decisions.
- Approve department regulations for public notice and adopt final regulation changes for filing with the Lieutenant Governor.

Major Activities to Advance Strategies

- Lead the department to accomplish goals and communicate performance.
- Lead the development of protective standards.
- Work within the government and with stakeholders, the public and the legislature to communicate department initiatives and needs.

FY2010 Resources Allocated to Achieve Results

FY2010 Component Budget: $1,002,300

Personnel:	
Full time	8
Part time	0
Total	8

Component: Information and Administrative Services

Contribution to Department's Mission

Provide support services to departmental programs.

Core Services

- Develop and maintain support services for the department's customers and clients, other agencies, the legislature and department employees.
- Identify departmental training needs and develop training plans.
- Develop enforcement procedures for departmental permitting programs.
- Develop and maintain policies and procedures governing financial, budget, procurement, and information systems management.

Major Activities to Advance Strategies

- Develop and maintain support services for the department's customers and clients; other agencies, the legislature and department employees.
- Identify departmental training needs and develop training plans.
- Develop enforcement procedures for departmental permitting programs.
- Develop and maintain policies and procedures governing financial, budget, procurement and information systems management.

FY2010 Resources Allocated to Achieve Results

FY2010 Component Budget: $4,742,900

Personnel:	
Full time	48
Part time	0
Total	48

Component: State Support Services

Contribution to Department's Mission

Coordination of external support services to departmental programs.

Core Services

- Coordinate human resource support services costs.
- Coordinate leasing costs for all locations statewide.

Major Activities to Advance Strategies

- Coordination of statewide support services external to the department.

FY2010 Resources Allocated to Achieve Results

FY2010 Component Budget: $1,970,100

Personnel:	
Full time	0
Part time	0
Total	0

RDU/Component: DEC Buildings Maintenance and Operations

(There is only one component in this RDU. To reduce duplicate information, we did not print a separate RDU section.)

Contribution to Department's Mission

Support for operation and maintenance of the Environmental Health Laboratory building.

Core Services

- Building maintenance and repair.
- Equipment maintenance and repair.
- Grounds maintenance and repair.

FY2010 Resources Allocated to Achieve Results

FY2010 Component Budget: $508,500

Personnel:	
Full time	2
Part time	0
Total	2

Environmental Health Results Delivery Unit

Contribution to Department's Mission

Safe drinking water, food and sanitary practices.

Core Services

- Establish clear standards and apply consistently statewide.
- Permit, inspect, monitor, certify, and provide technical assistance.
- Provide laboratory testing services and information for assessment of risks to public health and the environment.
- Enforce requirements.

End Result	Strategies to Achieve End Result
A: The environment is protected from solid waste and pesticide pollution. Target #1: All municipal solid waste facilities are authorized by the Department of Environmental Conservation. Status #1: While 100% of Class I and Class II municipal solid waste facilities within Alaska have the required authorization from the State to operate, less than 25% of Class III facilities have been authorized, showing a significant area of need.	**A1: Ensure compliance with protective standards for Solid Waste and Pesticides.** Target #1: Compliance inspections are conducted at 50% of non-municipal solid waste facilities each year. Status #1: Over 51% of the non-municipal solid waste facilities were inspected in FY 2008. Target #2: Less than 5% of pesticide enforcement actions involve repeat violators. Status #2: Repeat violators accounted for 2.86% of pesticide enforcement actions in FY 2008.
End Result	**Strategies to Achieve End Result**
B: Citizens are protected from unsafe food. Target #1: Keep all unsafe food out of the marketplace. Status #1: In FY 2008, over 56,000 pounds of dairy, seafood and retail foods were detained.	**B1: Enforce and control sanitary practices for food.** Target #1: 100% of inspected permitted retail food establishments are found to have staff with required food safety training and certification. Status #1: Approximately 75% of inspected permitted retail food establishments were found during inspection to have staff meeting food safety training and certification requirements. Target #2: 100% of permitted retail food establishments are inspected at least once each fiscal year. Status #2: In FY 2008, 35% of permitted retail food establishments were inspected. Target #3: Less than 10% of inspected permitted food establishments and seafood processors have been issued a Notice of Violation (NOV). Status #3: In FY 2008, less than 13% of food establishments and less than 6% of seafood processors that were inspected and permitted were issued a Notice of Violation (NOV).

End Result	Strategies to Achieve End Result
C: Laboratory testing information is available for assessment of risks to public health and the environment. Target #1: All requested tests for chemical and biological animal diseases and environmental toxins are completed. Status #1: The Environmental Health Lab was successful in analyzing 99% of samples submitted in FY 2008, with those not tested being due to sample problems.	**C1: Increased capacity and capability to perform supportive analysis for public health assessments.** Target #1: Increase the number and types of tests performed to support public health assessments. Status #1: 81,721 tests were performed by the Environmental Health Laboratory in FY 2008, a decrease from previous year but an increase in the types of tests performed.

End Result	Strategies to Achieve End Result
D: Drinking water is safe. Target #1: 100% of the population served by a public water system (PWS) is served by systems in compliance with health-based standards. Status #1: During FFY 2008, 94% of the population served by public water systems was served by those in compliance with health-based standards.	**D1: Timely review of all complete drinking water engineering plans submitted.** Target #1: 100% of complete sets of engineering plans are reviewed within 30 days. Status #1: 59% of complete sets of engineering plans were reviewed within 30 days in FY 2008, an increase of 8% from FY 2007. **D2: Implement sanitary survey requirements for all federally regulated public water systems.** Target #1: 100% of public water systems submit required sanitary surveys according to schedule. Status #1: 97% of public water systems in the state of Alaska submitted their required sanitary survey on time. **D3: Safe sanitary practices for drinking water through compliance, technical assistance and enforcement.** Target #1: All drinking water is protected. Status #1: The Drinking Water Program issued 40 formal enforcement actions to public water systems in FY 2008, down from 55 in FY 2007.

Major Activities to Advance Strategies

- Test and monitor food products for safety.
- Assist food operators to be in compliance with the Alaska Food Code.
- Provide environmental health information by conducting laboratory tests and analysis.
- Develop and maintain foreign animal disease monitoring and surveillance.
- Regulate community water systems.
- Implement a risk-based inspection and compliance plan for landfills.
- Conduct compliance investigations and inspections.
- Enforce environmental health regulatory requirements.
- Investigate complaints and outbreaks.

FY2010 Resources Allocated to Achieve Results

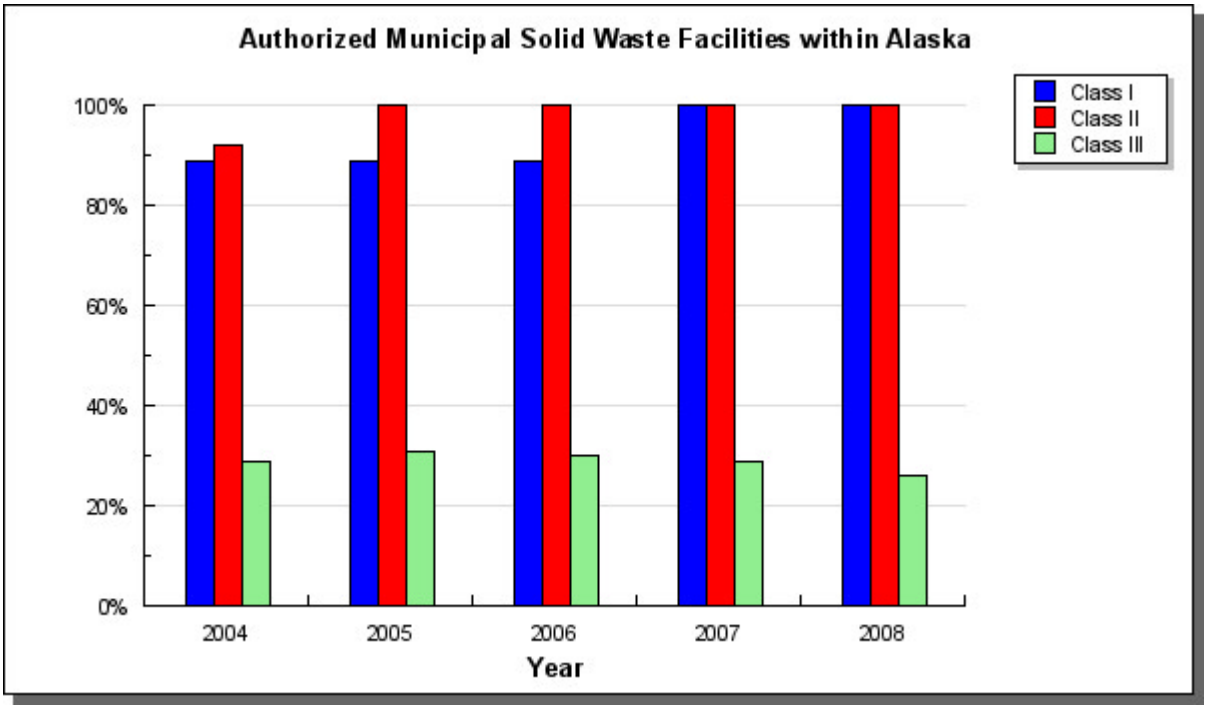
FY2010 Results Delivery Unit Budget: $15,538,200

Personnel:	
Full time	144
Part time	0
Total	144

Performance

A: Result - The environment is protected from solid waste and pesticide pollution.

Target #1: All municipal solid waste facilities are authorized by the Department of Environmental Conservation.
Status #1: While 100% of Class I and Class II municipal solid waste facilities within Alaska have the required authorization from the State to operate, less than 25% of Class III facilities have been authorized, showing a significant area of need.



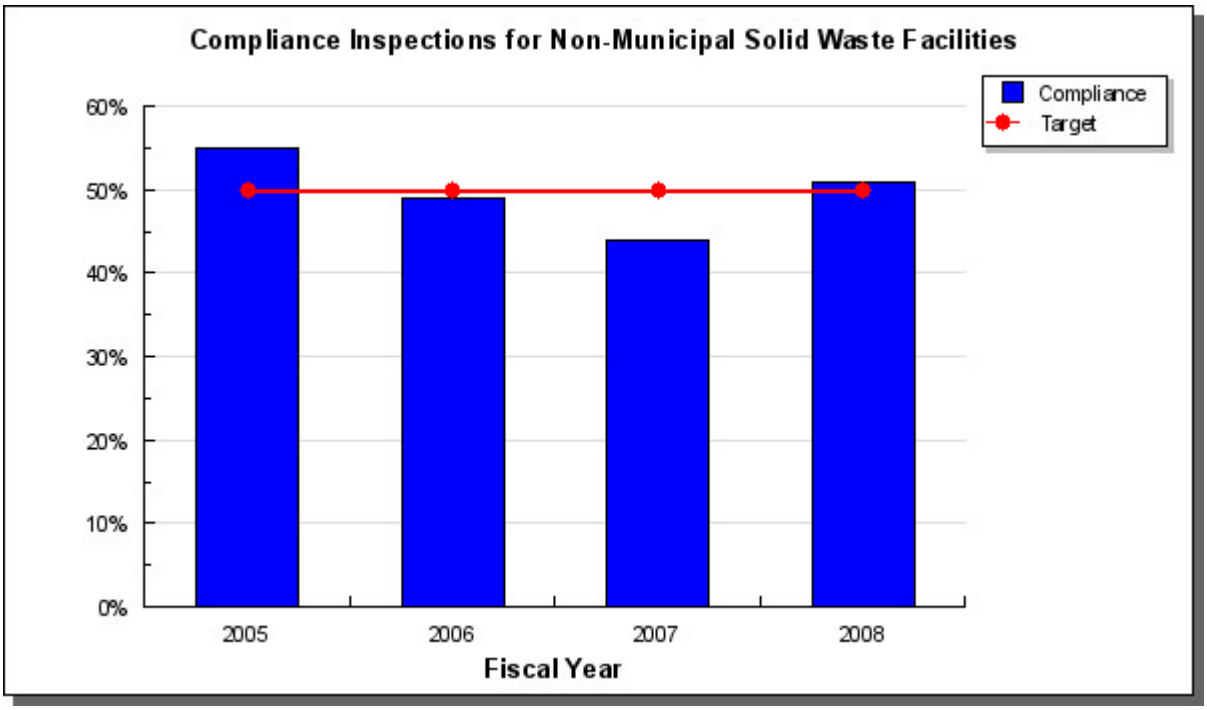
Methodology: The measure is calculated by dividing the number of authorized landfills in each classification by the total number of landfills in each classification.

Analysis of results and challenges: Municipal landfills are classified based on the average daily intake of waste and include Class I (greater than 20 tons/day), Class II (5 to 20 tons/day), and Class III (less than 5 tons/day) landfills. In FY 2008, the total number of municipal landfills included 7 Class I landfills, 13 Class II landfills, and 222 Class III landfills. Despite the relatively higher number of facilities, only about 10% of the municipal waste generated in Alaska is disposed in Class III landfills. All municipal landfills are required to have either a permit or other DEC authorization to ensure that the landfill's design and operational practices comply with regulatory standards. Compliance with the standards is what marks the difference between an approved landfill and an open dump.

As documented in the graph, all of Alaska's Class I and Class II landfills have current permits to operate, but only about 25% of Class III landfills are currently authorized. DEC is working to increase the rate of compliance for Class III landfills by simplifying the permitting process, which can be difficult for small communities with limited resources. However, implementing this simplified process has been delayed. That delay accounts for the slight decline in permitted Class III landfills as some permit holders are waiting for the simplified application process before renewing their expired permits.

A1: Strategy - Ensure compliance with protective standards for Solid Waste and Pesticides.

Target #1: Compliance inspections are conducted at 50% of non-municipal solid waste facilities each year.
Status #1: Over 51% of the non-municipal solid waste facilities were inspected in FY 2008.



Methodology: This measure is calculated by dividing the number of inspections conducted at non-municipal facilities by the total number of authorized non-municipal facilities. The data for this measure is pulled from the solid waste program database.

Compliance Inspections for Non-Municipal Solid Waste Facilities

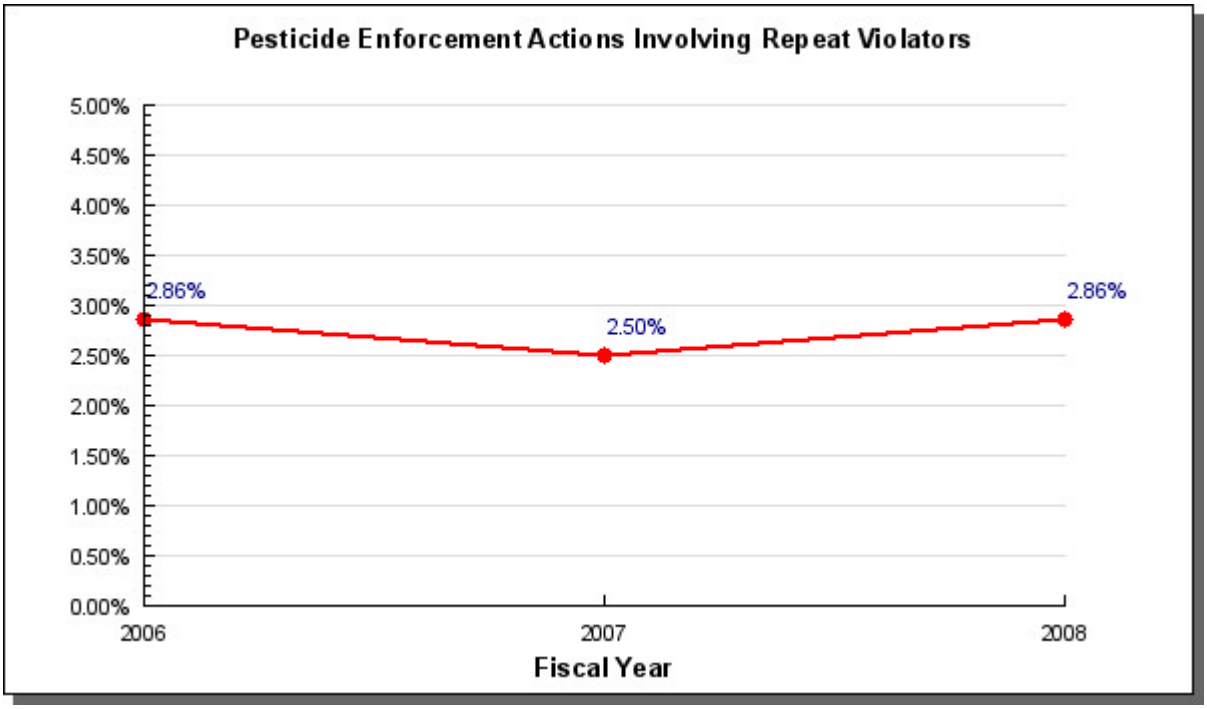
Fiscal Year	# Inspected	Total # of Facilities	Compliance	Target
FY 2008	35	68	51%	50%
FY 2007	31	71	44%	50%
FY 2006	34	69	49%	50%
FY 2005	34	62	55%	50%

Analysis of results and challenges: Non-municipal solid waste treatment facilities and landfills are classified based on the type(s) of waste they receive; are generally associated with the mining, logging, and oil and gas industries; and are not allowed to accept municipal waste. These facilities are authorized to operate by permit or plan approval, which allows DEC to ensure that these facilities meet the design and operational standards in the regulations. After an authorization is issued, DEC further assesses compliance with the regulations by conducting on-site inspections of these facilities.

Particular challenges associated with inspecting non-municipal facilities include the fact the many of these facilities are only seasonally active, many are located in remote locations, and some types of facilities have a short (less than one year) operational life. The stated goal of inspecting half of these facilities each year recognizes these inherent difficulties while assuring that each facility is inspected at least once every other year. DEC met this inspection goal

during FY 2008.

Target #2: Less than 5% of pesticide enforcement actions involve repeat violators.
Status #2: Repeat violators accounted for 2.86% of pesticide enforcement actions in FY 2008.



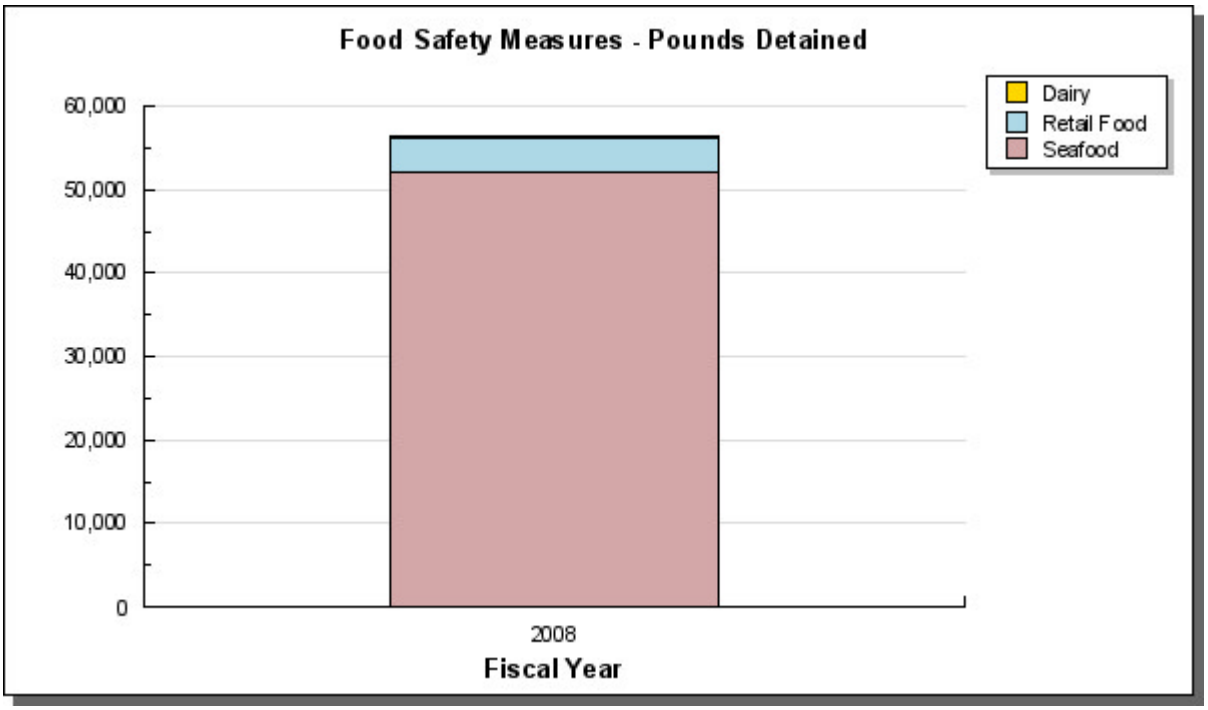
Methodology: The data is pulled from inspection reports and the Department's inspections database and the percentage of repeat violators is calculated by dividing the number of repeat violators by the total number of violators cited that year.

Analysis of results and challenges: Due to the nature of pesticides, strict compliance with the regulations and the product label is critical to protect public and environmental health. DEC inspections include all aspects of pesticide use, including the storage, sales, use, and disposal of the materials and containers and takes active enforcement when violations are found. The success of these enforcement actions is best measured by tracking the number of repeat violators. Repeat violators are individuals or facilities that are cited for a pesticide violation and then commit one or more additional state or federal pesticide violations during the next three years.

Accurately tracking this statistic is a challenging process because pesticide violations can be documented by multiple programs within DEC and by multiple state and federal agencies. Compiling the data for this measure therefore requires coordinating the inspections records of various programs and agencies. However, this also increases the potential that pesticide violations will be detected. The rate of repeat violations in Alaska is consistently less than the target of 5% and approximates the EPA-reported national average of about 3%.

B: Result - Citizens are protected from unsafe food.

Target #1: Keep all unsafe food out of the marketplace.
Status #1: In FY 2008, over 56,000 pounds of dairy, seafood and retail foods were detained.



Methodology: Seafood pounds detained and retail food pounds detained are the sum of pounds reported detained or voluntarily destroyed as reported in the Food Safety and Sanitation Program "Digital Health Department" database.

Food Safety Measures - Pounds Detained

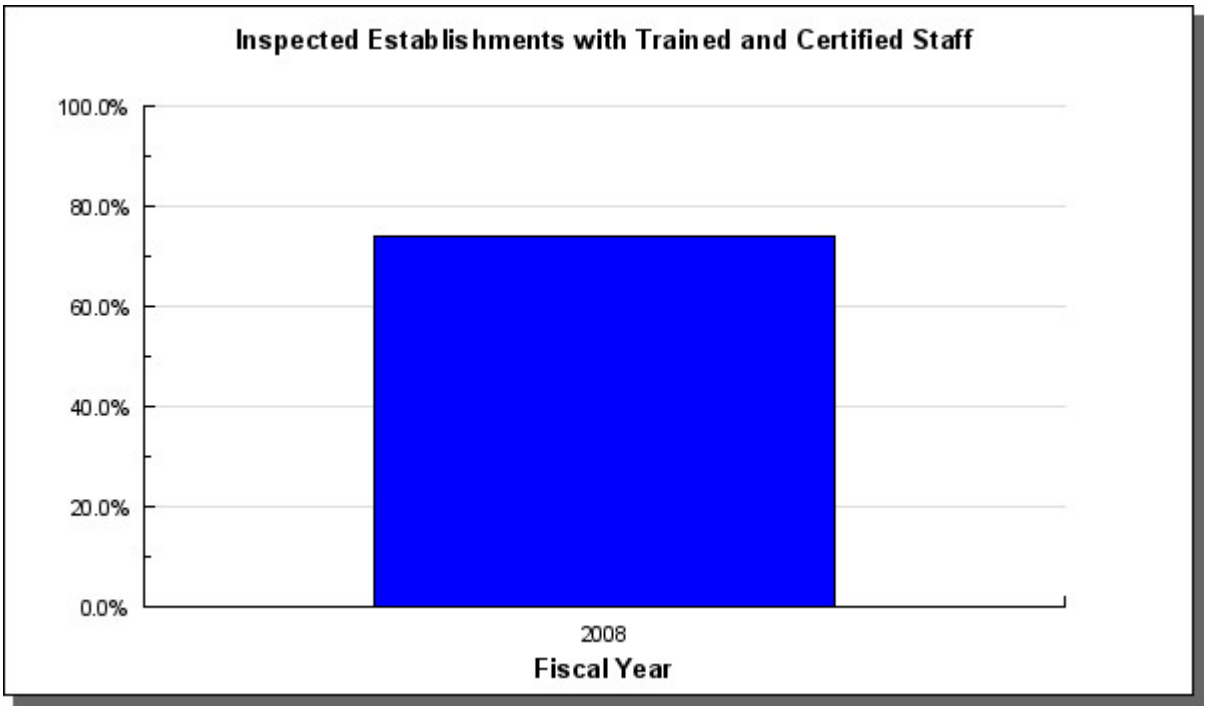
Fiscal Year	Seafood	Retail Food	Dairy	Total Pounds
FY 2008	52,100	4,100	260	56,460

Analysis of results and challenges: Potentially unsafe food may be identified through inspections, complaints, routine testing of product or recalls. The measure only includes food which has been identified as unsafe. Unsafe food may be entering the marketplace due to infrequent inspections and lack of management control at the processor or establishment.

Reasons for unsafe food may include unapproved source, adulteration with contaminants or unapproved ingredients, improper processing, labeling or packaging. Depending upon the food safety problem, it may be possible to recondition the food, divert it to animal feed, or fix the labeling or packaging problem. If the problem cannot be fixed, the food is destroyed.

B1: Strategy - Enforce and control sanitary practices for food.

Target #1: 100% of inspected permitted retail food establishments are found to have staff with required food safety training and certification.
Status #1: Approximately 75% of inspected permitted retail food establishments were found during inspection to have staff meeting food safety training and certification requirements.

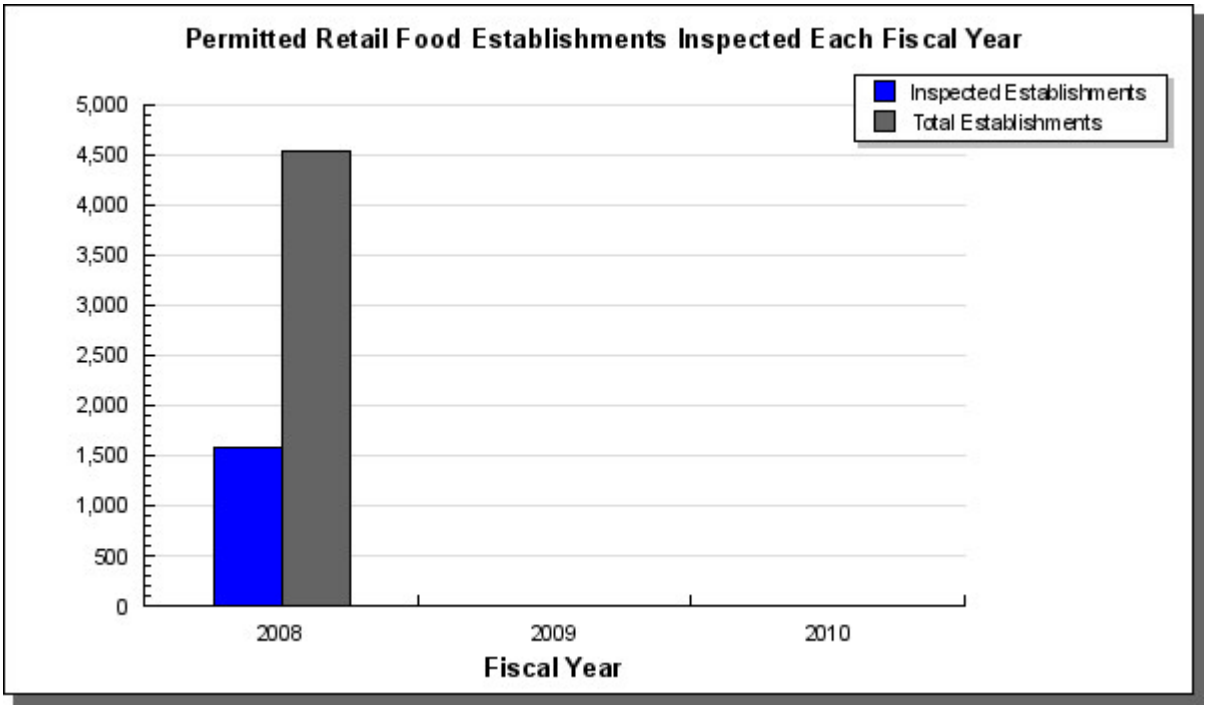


Methodology: Data Collection began January 1, 2008; therefore this data only represents 7 months of the year. The total number of inspected establishments without either items 1 - Certified Food Protection manager, 2 - Person in Charge or, 3 - Food Worker Cards for all workers marked out as reported in Food Safety and Sanitation Program's "Digital Health Department" database. Calculated by dividing the number of establishments with safety training and certification by the number of inspected permitted establishments, as reported in the Food Safety and Sanitation Program's DHD database.

Analysis of results and challenges: The requirement for a workforce trained in food safety was established in the December 28, 2006 amendments to the Alaska Food Code. The requirement recognizes that primary responsibility for food safety lies with the food establishment which is procuring, storing, preparing and serving food on a daily basis. All food handlers must have basic food worker training and hold an Alaska Food Worker Card issued by the Food Safety and Sanitation Program. On-line training and testing is provided by the Food Safety and Sanitation Program. In addition, each establishment must have at least one Certified Food Protection Manager credentialed by a third party who is knowledgeable about food safety management practices and systems.

The program has done an aggressive industry education campaign and waived state food worker testing fees through December 2008 to encourage training. The program's online testing program is serving as a model for other food safety programs statewide. Achieving a 75% compliance rate in less than two years, with only a partial year of data collection is a measure of the program's success in implementing the new requirement.

Target #2: 100% of permitted retail food establishments are inspected at least once each fiscal year.
Status #2: In FY 2008, 35% of permitted retail food establishments were inspected.



Methodology: Sum of permitted food establishments and sum of permitted food establishments inspected once as reported in the Food Safety and Sanitation Program's "Digital Health Department" database. Note - does not include an approximate 500 temporary food establishments.

Analysis of results and challenges: The Food Safety and Sanitation Program has 24 full time equivalent field positions in ten offices statewide who undertake retail food inspections along with seafood and public facility sanitation inspections.

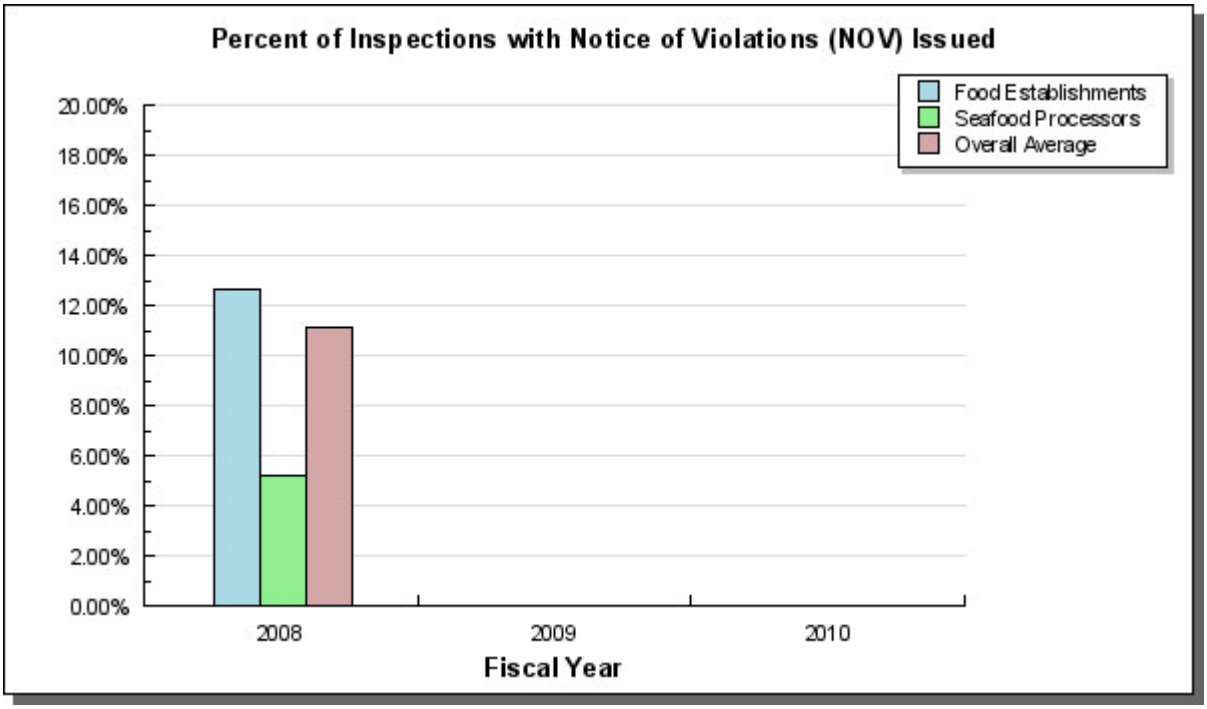
High risk facilities include establishments such as full service restaurants, nursing homes, and food processors. Medium risk facilities include quick service operations, schools not serving a highly-susceptible population, and retail food store operations. Low risk facilities include coffee stands, hot dog carts, and convenience store operations.

In FY 2008, there were 4,531 permitted permanent food establishments. During FY 2008, staff inspected 35% of those establishments. More specifically, they visited 41% of high risk retail food facilities (1271 facilities) and 33% of medium risk retail food facilities (1670 facilities). Low risk facilities (1670 facilities and 331 facilities not yet ranked) are only inspected when complaints are received or if the opportunity arises when in a community.

The 2005 Food and Drug Administration's Model Food Code, which is developed through the cooperation of industry and state and federal food regulators, recommends a minimum of three times a year for high risk facilities and twice a year for medium risk facilities. Low risk facilities should be inspected at least once a year.

Target #3: Less than 10% of inspected permitted food establishments and seafood processors have been issued a Notice of Violation (NOV).

Status #3: In FY 2008, less than 13% of food establishments and less than 6% of seafood processors that were inspected and permitted were issued a Notice of Violation (NOV).



Methodology: Sum of number of inspected permitted seafood processors (382) and permitted food establishments (1546) from the Food Safety and Sanitation Program's "Digital Health Department" (DHD) database. Number of Notice of Violations per category (Seafood = 20, Retail Food = 195) is from DHD.

Analysis of results and challenges: The Food Safety and Sanitation Program has 24 full time equivalent (FTE) field positions in ten offices statewide who undertake retail food inspections along with seafood and public facility sanitation inspections while three FTEs exclusively work with seafood compliance responsibilities.

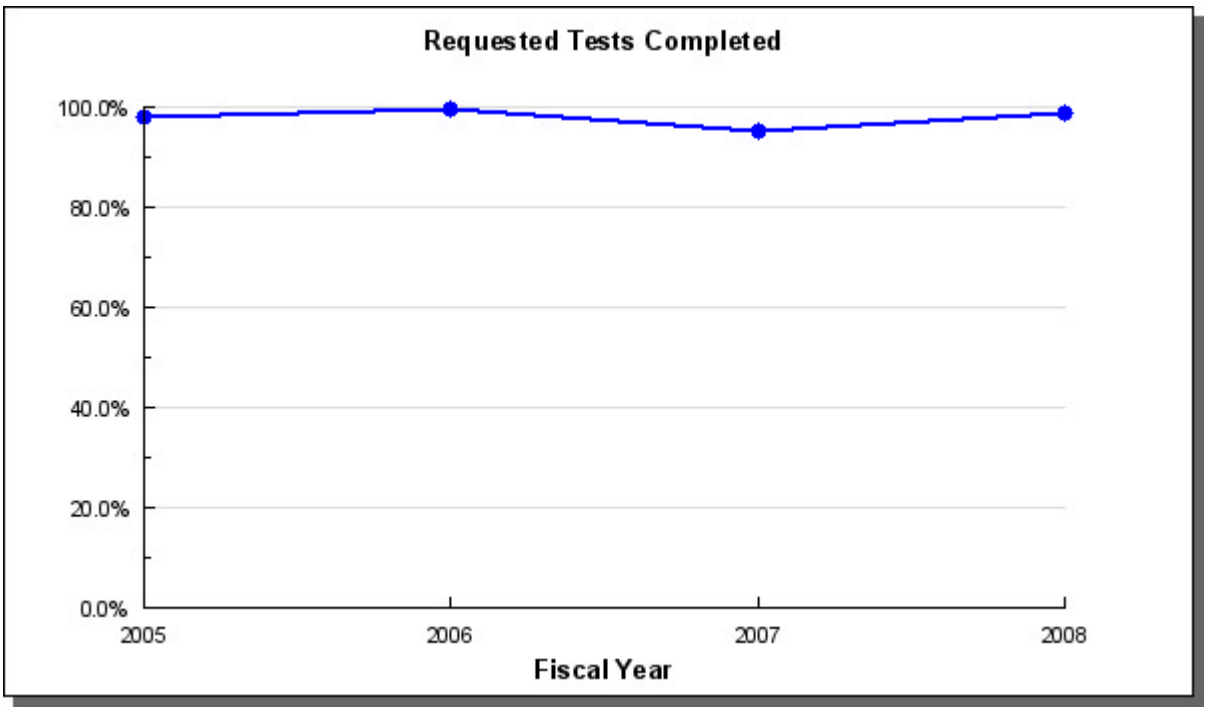
In FY 2008, there were 835 permitted seafood facilities. 322 or 39% were inspected at least once. Staff were able to inspect 272 as contract inspections funded by the Federal Food and Drug Administration (FDA). Some facilities are also inspected by FDA compliance officers and U.S. Department of Commerce (USDC) officers. The relatively low Notice of Violation (NOV) rate for seafood facilities of 5.24 % is possibly due to good inspection frequencies.

In FY 2008 there were 4,531 permitted permanent food establishments. Only 1,429 establishments were inspected at least once. Inspections are only one part of an Environmental Health Officer's job. Staff are also responsible for conducting facility plan reviews, investigating complaints, participating in food recalls, providing technical assistance and training to industry and routine administrative matters for small offices. Travel time also has an impact on inspection frequencies. Approximately 12.6% of retail establishments were issued NOVs. These facilities are inspected less than seafood facilities.

Only facilities with egregious violations are issued NOVs, which is the first formal step in enforcement process.

C: Result - Laboratory testing information is available for assessment of risks to public health and the environment.

Target #1: All requested tests for chemical and biological animal diseases and environmental toxins are completed.
Status #1: The Environmental Health Lab was successful in analyzing 99% of samples submitted in FY 2008, with those not tested being due to sample problems.



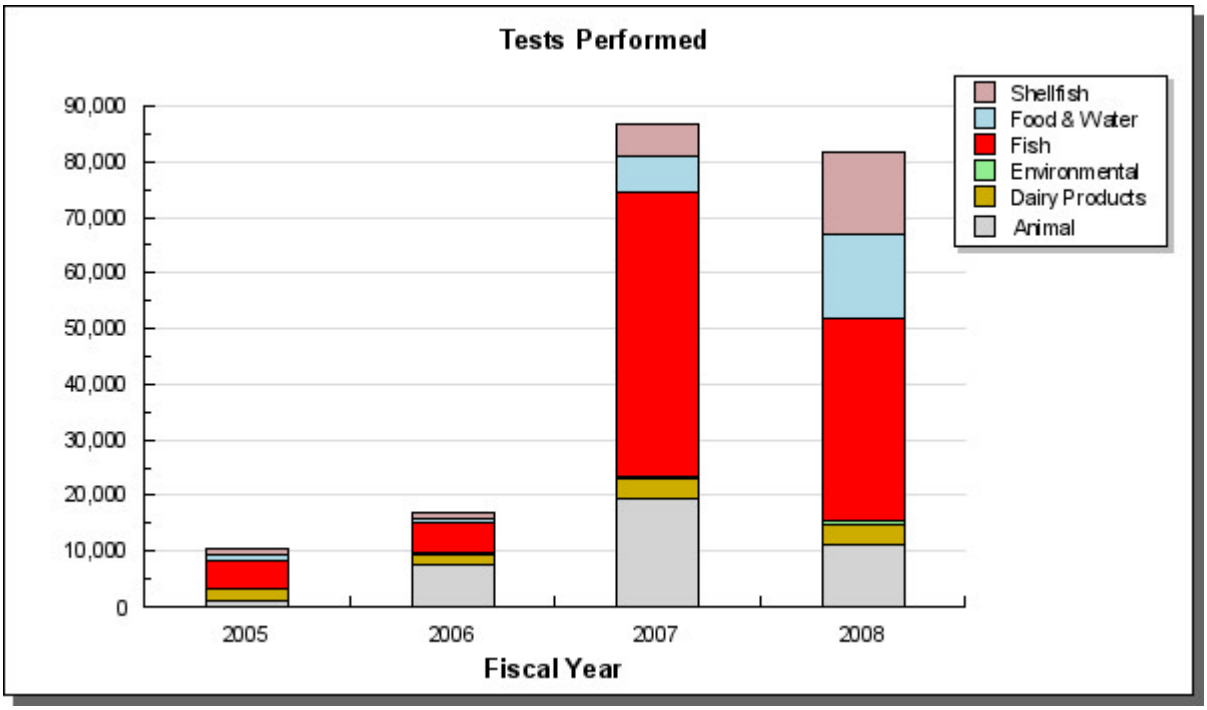
Methodology: Tests completed by the Environmental Health Lab in response to requests from customers.

Analysis of results and challenges: The Environmental Health Laboratory's (EHL) target is to provide optimal customer service in the form of accurate, timely, and reliable results for 100% of the requests received. In addition to performing both biological and chemical analysis, the laboratory will continue to perform certification inspections for drinking water and environmental testing laboratories throughout the state. The EHL successfully performed analysis on 99% of samples submitted in FY 2008. The few samples not analyzed were primarily due to customer failure to meet sample submission requirements related to sample identification, integrity, volume, hold times, or temperature. Technical assistance in understanding requirements is provided when submission requirements are not met.

To assist customers in meeting the sample submission requirements, the lab developed a Sample Submission Manual that provides guidance on proper sample collection, handling, and shipping, which has been published in hard copy form and also viewable on the department's website at:
http://www.dec.state.ak.us/eh/lab/SubmissionManual/LSM_Main.htm

C1: Strategy - Increased capacity and capability to perform supportive analysis for public health assessments.

Target #1: Increase the number and types of tests performed to support public health assessments.
Status #1: 81,721 tests were performed by the Environmental Health Laboratory in FY 2008, a decrease from previous year but an increase in the types of tests performed.



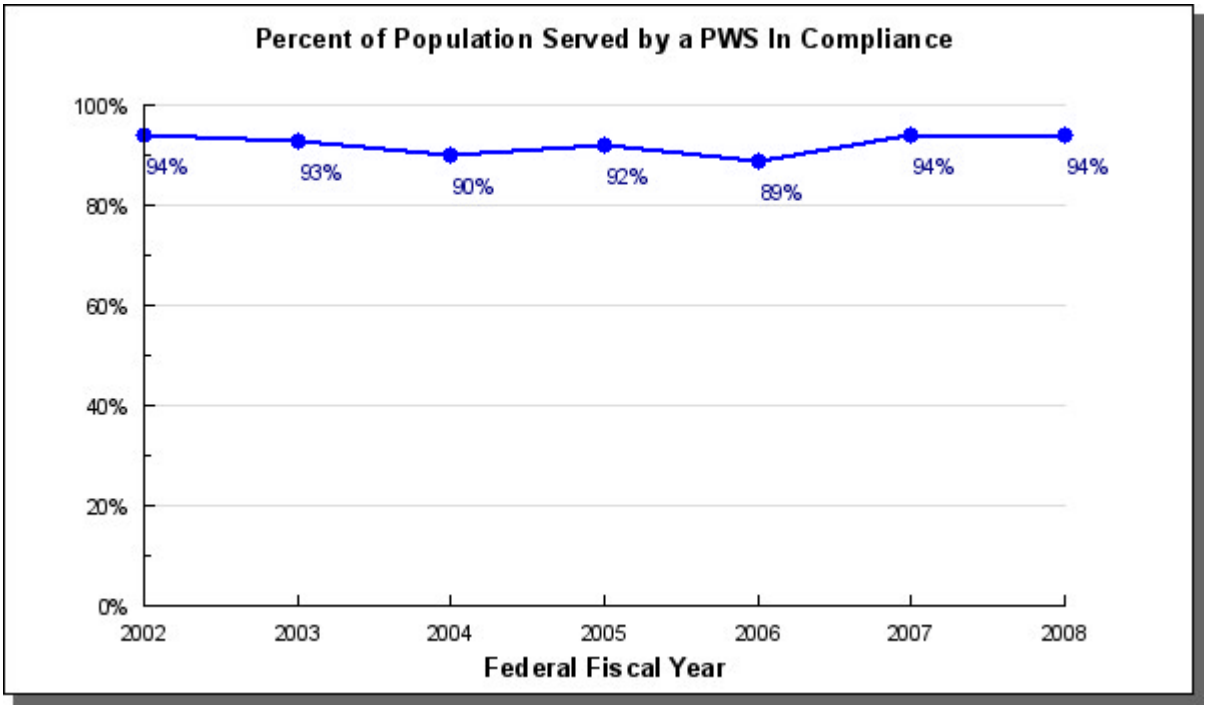
Methodology: All tests performed by the lab are logged and tracked from sample receipt through final testing and reporting.

Analysis of results and challenges: A new State Environmental Health Laboratory (EHL) became fully operational in January 2006. The state-of-the-art facility offers testing support on non-human samples, i.e. shellfish, food and water, fish, environmental, animal and dairy products. The purpose of the new facility was to bring increased capabilities and capacities to the State, which is clearly demonstrated in the statistical bar graphs from FY 2005 to FY 2008. Testing volume increased as the result of a myriad of factors: an International Standards Organization (ISO) based Quality Management Program requiring increased Quality Assurance and Quality Control (QA/QC) procedures, all new equipment requiring installation and validations, parallel testing for procedure validations, all new analysts training, and development of many new tests.

The changes are first evident in FY 2006, as animal testing increased with the start up of new molecular biology procedures for Avian Influenza and New Castle disease. In FY 2007, an agreement to perform Avian Influenza testing for the United States Department of Agriculture, Wildlife Service significantly increased animal testing. Also in FY 2007, fish tissue testing jumped 10-fold as new and more efficient multichannel chemistry analyzers provided testing support for state and federal projects. In FY 2007 and FY 2008, both food and dairy testing increased because of samples from new cheese and milk producers; shellfish and related testing grew as well. Organic fuel testing procedures were developed in FY 2008 for future demands; environmental testing increased from 22 to 693 tests, consisting of solely validation and developmental testing. The decrease in animal testing in FY 2008 is the result of a reduction in Avian Influenza samples submitted by State and Federal agencies as the sampling plan for Avian Influenza surveillance was changed; a similar decline in fish testing was the result of reduced Federal funding for analysis of non-salmon fish species in the Fish Monitoring Program.

D: Result - Drinking water is safe.

Target #1: 100% of the population served by a public water system (PWS) is served by systems in compliance with health-based standards.
Status #1: During FFY 2008, 94% of the population served by public water systems was served by those in compliance with health-based standards.



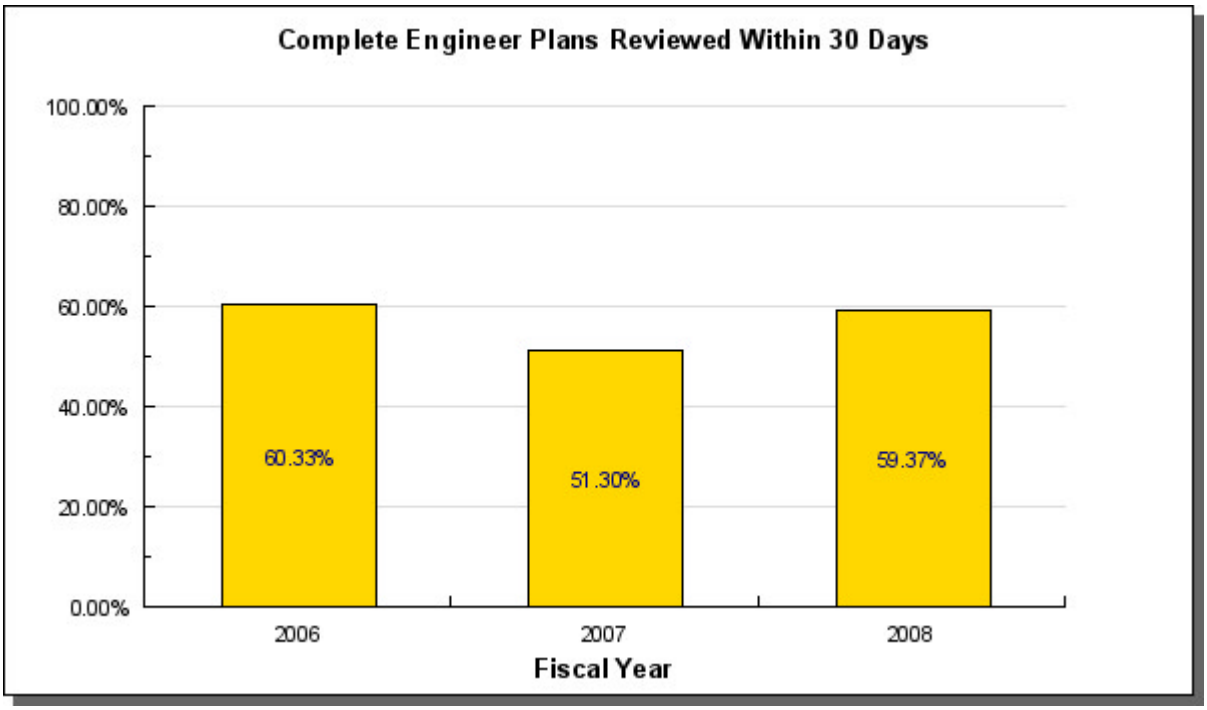
Methodology: The information reflected in this table is provided on an annual basis by the Environmental Protection Agency (EPA) after the end each federal fiscal year (typically October). The numbers being reported are the number of Public Water Systems that are in compliance with the health-based standards (Treatment Technique and Maximum Contaminant Level requirements).

Analysis of results and challenges: To address the threat of waterborne disease and provide for the protection of public health, the State of Alaska adopted the Safe Drinking Water Act (SDWA) requirements in 1978, making the Drinking Water Program responsible for implementation of the SDWA within the State. All federally regulated public water systems are required to be in compliance with the SDWA. Various health-based standards contained within the Act are designed to protect people from consuming unsafe drinking water. Health-based standards are EPA established limits for many chemical and radiological contaminants, called Maximum Contaminant Levels (MCLs), as well as microbiological contaminants. The MCL is an enforceable standard that all public water systems must meet in order to serve drinking water to the public. There are also various treatment technique criteria that public water systems must meet. Treatment techniques have to do with the way water is treated to make it potable and safe for human consumption. All of these criteria make up the health-based standards.

The Drinking Water Program offers a two-pronged approach of compliance assistance and enforcement, allowing staff to have appropriate oversight of the Public Water System (PWS) serving safe drinking water to as many people as possible. The increasing number of complex federal drinking water rules, such as Long Term 1 and 2 Enhanced Surface Water Treatment Rules, and the Disinfectant/Disinfections By-Products, Stage 2 Rule, challenges the resources of both the DW program and the PWS owners and operators. That accounts for the decrease in FFY 2006.

D1: Strategy - Timely review of all complete drinking water engineering plans submitted.

Target #1: 100% of complete sets of engineering plans are reviewed within 30 days.
Status #1: 59% of complete sets of engineering plans were reviewed within 30 days in FY 2008, an increase of 8% from FY 2007.



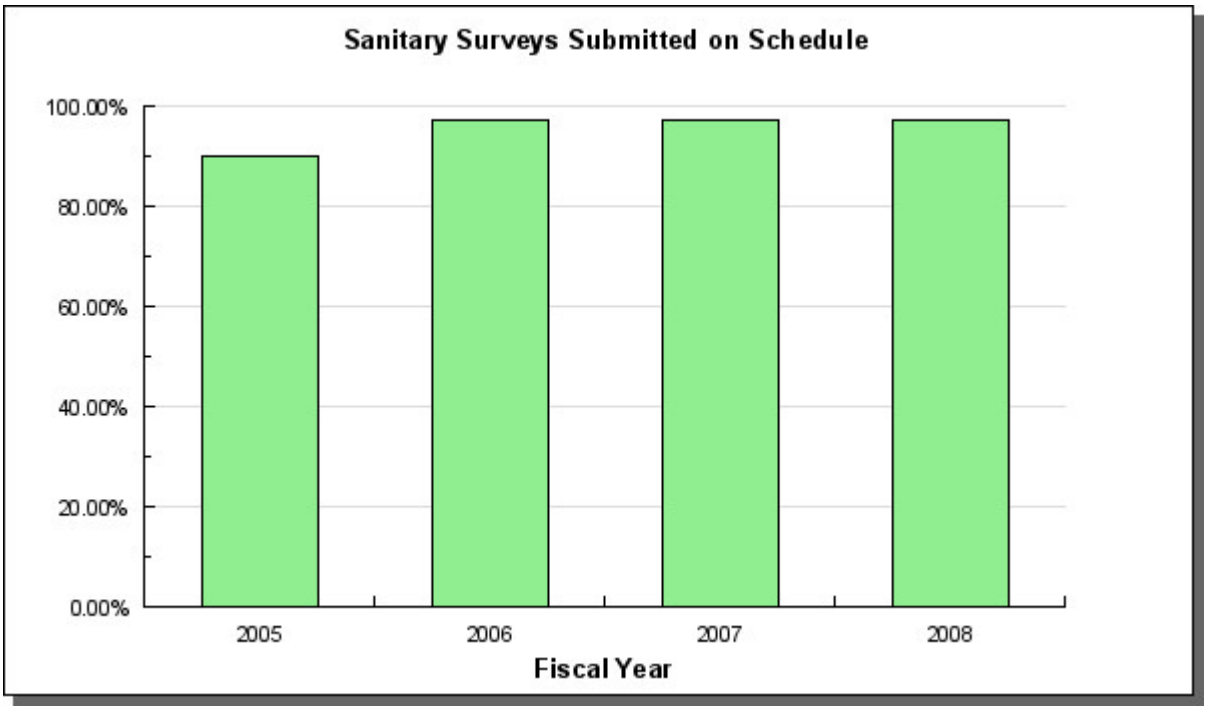
Analysis of results and challenges: To provide for the protection of public health, Drinking Water Regulations (18 AAC 80) require approval of engineered plans any time a public water system (PWS) is constructed, modified, or begins operation. During the engineered plan review process, the department engineer will determine if specifications and materials used in the construction or modification of a PWS meet the criteria of the Drinking Water Regulations, and if the PWS is capable of meeting ongoing treatment performance requirements. These criteria address many items that, taken together, assure that the public is being served safe drinking water. Drinking Water Program Engineers are required to review complete engineered plan submittals within 30 days of receipt.

The engineering section was under-staffed for many years, resulting in a large backlog of engineered plans. Over the past three years, five new positions were added to the engineering section, resulting in a significant decrease in the backlog of engineered plans needing review, and provided an improvement in public service responsiveness and greater public health protection. In prioritizing engineered plan reviews, staff focus “high priority” on the backlog engineered plan submittals and also the plans submitted for “construction approval” in order to avoid project construction delays. The review of engineered record drawings, to ensure the project was constructed as approved, as well as the follow-up on incomplete engineered plans, is a lower priority.

As the backlog in engineered plans is further reduced, we hope to meet the 30 day review requirement in engineered plans for all types of plan submittals, including engineered record drawing submittals. However, as new rules first become effective through EPA they typically increase the length of time it takes to review an engineered plan submittal, and lengthy review times mean fewer engineered plans are reviewed.

D2: Strategy - Implement sanitary survey requirements for all federally regulated public water systems.

Target #1: 100% of public water systems submit required sanitary surveys according to schedule.
Status #1: 97% of public water systems in the state of Alaska submitted their required sanitary survey on time.



Methodology: Number of active public water systems that do not have an overdue sanitary survey.

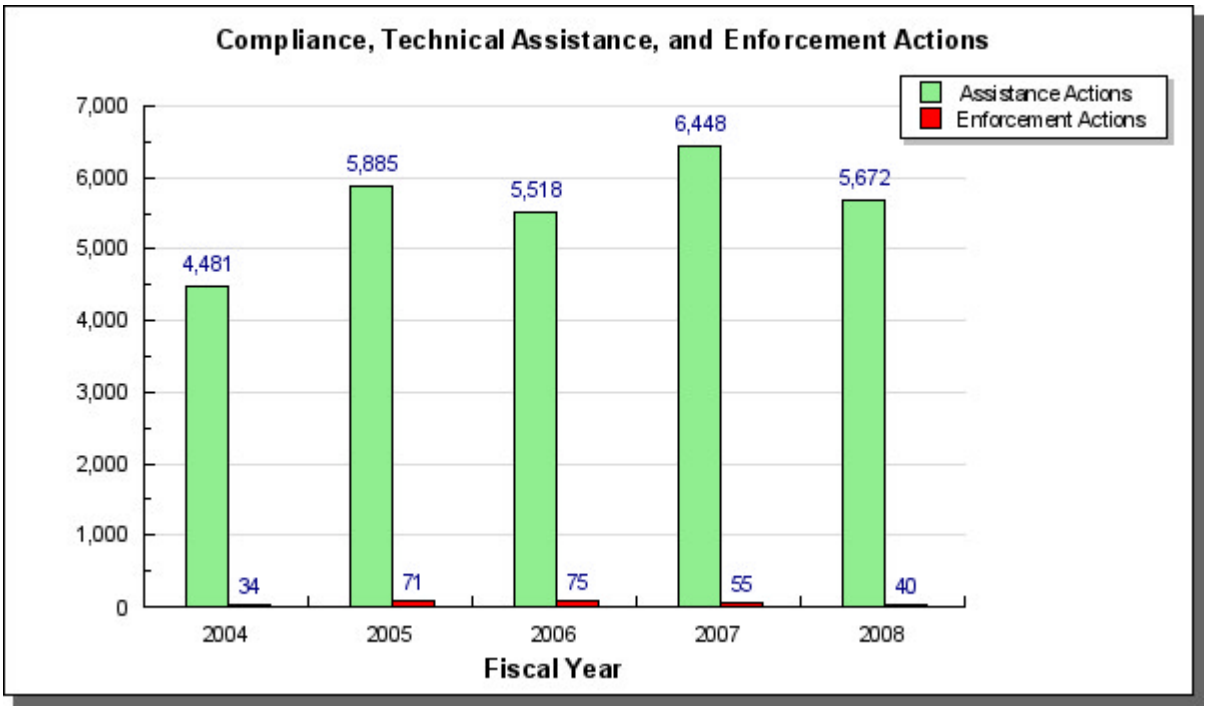
Analysis of results and challenges: The Drinking Water Program provides oversight and training for the third party sanitary survey inspector program, which completes a large number of the sanitary surveys annually. The program is also responsible for enforcement on those Public Water Systems that have overdue sanitary surveys and supports technical assistance through training and approving the inspectors, as well as provides the service of completing sanitary surveys to limit the number of systems without updated surveys.

Most waterborne disease outbreaks are caused by bacteria or other microorganisms, and routinely testing for bacteriological contaminants is one of the best ways we have of making sure that drinking water is safe to drink. A very important part of the Total Coliform Rule (TCR) is the requirement that all federally regulated public water systems have a periodic sanitary survey completed for their entire water system. A sanitary survey is an onsite review of the water source, treatment facilities and equipment, and the operations and maintenance procedures of a public water system. This information is used to evaluate the adequacy of a system and helps to determine if the water system is producing and distributing safe drinking water. In 2008, 97.6% of Alaska's Public Water Systems were in compliance with their sanitary survey requirement.

Some of the challenges we face in meeting this goal are; remote water system locations and the difficulty getting to some of the public water systems, the cost to the system for conducting the sanitary survey, and the lack of sufficient and timely enforcement actions to establish and confirm the high priority of sanitary surveys. The Drinking Water Program continues to address these issues and has recently been working on an electronic sanitary survey form to achieve consistency in onsite inspection quality. The Drinking Water Program also recently hired an engineer to reevaluate, update, and oversee the sanitary survey program, for better implementation of the program.

D3: Strategy - Safe sanitary practices for drinking water through compliance, technical assistance and enforcement.

Target #1: All drinking water is protected.
Status #1: The Drinking Water Program issued 40 formal enforcement actions to public water systems in FY 2008, down from 55 in FY 2007.



Methodology: This chart reflects the number of actions that staff completes over the year to assist Alaska public water systems in achieving and maintaining compliance. Technical assistance actions include meetings, reminder letters, sampling schedules, phone calls, etc. Enforcement actions include Notices of Violation, Bilateral Compliance Agreements, Compliance Orders by Consent, and Administrative Penalties.

Analysis of results and challenges: In FY 2008, Drinking Water Program staff completed 5,672 compliance and technical assistance actions (primarily phone calls and water system sampling schedules) and 40 formal enforcement actions (primarily Notices of Violation) for Alaska public water systems. Compliance and technical assistance actions are focused educational and information-oriented activities to increase Alaska public water system owners' and operators' abilities to more effectively operate their systems thereby, reducing the necessity for enforcement. The Drinking Water program supports technical assistance through training and approving the onsite inspectors, and also provides the service of completing sanitary surveys. However, if monitoring for contaminants, reporting, and sanitary surveys are not completed, the program is responsible for enforcement. By providing more compliance and technical assistance, we are able to reduce the number of formal enforcement actions because water system owners and operators are better educated as to the importance of monitoring and reporting in protecting public health.

The Drinking Water Program's Environmental Program staff enters their public water system compliance and enforcement actions into the Drinking Water Program's Safe Drinking Water Information System (SDWIS) database in an effort to track and analyze trends for Alaska's public water systems. This allows the program to target staff resources for specific water systems and better ensures the greatest effectiveness of the program's limited resources.

Component: Environmental Health Director

Contribution to Department's Mission

Provide effective management and leadership for all Environmental Health programs and services.

Core Services

- Provide direction for all changes to nine regulatory chapters.
- Provide clear direction to staff and timely decisions when necessary.
- Manage budgets of each component so that resources are used wisely.
- Advocate for Division needs so that statutory mandates are properly executed.

Major Activities to Advance Strategies

- Oversee all Environmental Health regulation projects, ensuring regulations are logically presented, rational, and understandable.
- Work with program managers and staff to make and implement timely and well-reasoned decisions.
- Oversee the efficient use of division's resources.

FY2010 Resources Allocated to Achieve Results

FY2010 Component Budget: $335,500

Personnel:	
Full time	4
Part time	0
Total	4

Component: Food Safety & Sanitation

Contribution to Department's Mission

Safe food processing, service, and sales.

Core Services

- Establish standards, permit, inspect and enforce standards for food processing and food service facilities.
- Establish standards and inspect on a complaint basis certain public facilities for sanitation.
- Provide education and training on the safe handling of food.

Major Activities to Advance Strategies

- Review plans and specifications for new food establishments.
- Inspect medium and high risk seafood and other food processors.
- Conduct random inspections and record audits of retail food establishments.
- Conduct complaint and outbreak investigations.
- Initiate enforcement action as required.
- Set sanitation standards for certain public facilities.
- Provide food worker training.
- Conduct sanitary surveys of shellfish growing areas.
- Monitor shellfish farms and harvesters for Vibrio parahaemolyticus, paralytic shellfish poisoning and other marine toxins and bacteria.
- Respond to fires, floods and other disasters.
- Detain or destroy contaminated food. Coordinate the recall of food products.
- Assist food operators to take more responsibility for food safety.
- Complete FDA contract inspections at food processors.

FY2010 Resources Allocated to Achieve Results

FY2010 Component Budget: $3,967,900

Personnel:	
Full time	38
Part time	0
Total	38

Component: Laboratory Services

Contribution to Department's Mission

Provide laboratory testing services, analytical and technical information for assessment of risks to public health, welfare and the environment.

Core Services

- Inspect and certify private labs.
- Test environmental samples, food, water, finfish, shellfish, and domestic and wild animals.
- Analyze fish tissue for chemical, microbial, and marine toxin contaminants.
- Permit, inspect, monitor and provide technical assistance to dairy and meat producers.
- Permit and monitor the movement of animals and animal biological products (vaccines, etc.).
- Monitor and control animal diseases.
- Provide laboratory testing services and information for assessment of risks to public health, welfare and the environment.

Major Activities to Advance Strategies

- Test shellfish and seafood.
- Test food and drinking water samples.
- Evaluate fish for persistent bioaccumulative organic pollutants.
- Test for animal diseases.
- Review and certify private labs annually.
- Train EH staff on drinking water sampling and testing protocols annually.
- Screen and/or inspect dairy farms and processors.
- Issue animal importation permits.
- Investigate animal morbidity/mortality reports.

FY2010 Resources Allocated to Achieve Results

FY2010 Component Budget: $3,048,300

Personnel:	
Full time	24
Part time	0
Total	24

Component: Drinking Water

Contribution to Department's Mission

Verify safe drinking water and compliance with Safe Drinking Water Act requirements.

Core Services

- Maintain state primacy for regulating public drinking water systems.
- Enforce public water system (PWS) monitoring requirements for drinking water contaminants.
- Review construction, installation, and operation plans and enforce engineering standards for PWS to protect public health and meet Safe Drinking Water Act requirements.
- Assist PWS owners in identifying the sources of their drinking water and help them develop strategies to effectively protect those sources from contamination.
- Provide technical and compliance assistance to PWS owners and operators, and the public.

Major Activities to Advance Strategies

- Complete plan reviews for construction, operation, and separation distance waivers.
- Review reports (Consumer Confidence Reports) provided to consumers by PWS about sampling results.
- Process variances, exemptions, and monitoring waivers, to reduce the number of PWS significantly out of compliance.
- Respond to PWS noncompliance with assistance and enforcement, and make referrals to EPA when appropriate.
- Help PWS owners prepare Emergency Response Plans and perform security audits on their water systems.
- Conduct sanitary surveys of PWS, certify third party sanitary survey inspectors, and review third party sanitary survey inspector reports.
- Adopt and implement federal drinking water rules and develop and implement appropriate state drinking water regulations.
- Submit timely primacy applications and regulation revisions to EPA.
- Provide technical assistance about wellhead protection and overall drinking water protection to communities.
- Review PWS sampling, monitoring, and reporting activities for all regulated drinking water contaminants.

FY2010 Resources Allocated to Achieve Results

FY2010 Component Budget: $6,113,200

Personnel:	
Full time	57
Part time	0
Total	57

Component: Solid Waste Management

Contribution to Department's Mission

Achieve environmental protection by requiring appropriate management of Alaska's landfills and safe pesticide use.

Core Services

- Review and approve permit applications including plans for design, operations, monitoring, management, construction, and closure; issue permits for solid waste treatment and disposal facilities; and review monitoring results.
- Inspect landfills to verify compliance with permit requirements and state solid waste regulations.
- Enforce violations of permit requirements and state solid waste regulations.
- Monitor closed landfill sites.
- Train and certify pesticide applicators.
- Register and monitor the sale, use, and storage of pesticides.
- Conduct inspections of pesticide distributors and applications of restricted use pesticides to ensure compliance with the Worker Protection Standards.
- Conduct inspections to ensure commercial pesticide application is done in accordance with the Endangered Species Act and Clean Water Act.
- Review water and sampling results for pesticides to ensure protection of ground water and surface water.
- Issue and monitor pesticide permits.

Major Activities to Advance Strategies

- Implement the landfill location risk-based model.
- Implement a revised authorization program for Class III landfills to simplify process and increase number of authorized facilities.
- Activate the Solid Waste Information Management System database.
- Inspect landfills based on level of risk posed by facilities.
- Inspect for compliance of pesticide regulations and the Worker Protection Standard.
- Process pesticide application permits.
- Register pesticides for sale, distribution and use in the state.
- Complete and implement the Pesticides Information Management System database.

FY2010 Resources Allocated to Achieve Results

FY2010 Component Budget: $2,073,300

Personnel:	
Full time	21
Part time	0
Total	21

Air Quality Results Delivery Unit

Contribution to Department's Mission

To conserve, improve, and protect Alaska's natural resources and environment and control air pollution, in order to enhance the health, safety, and welfare of the people of the state and their overall economic and social well being.

Core Services

- Issue air quality permits to facilities that release potentially harmful pollutants.
- Provide compliance assistance and enforcement (inspections and operating report reviews).
- Community assistance to protect air quality.
- Air quality assessments.
- Comment on federal air quality rulemakings with Alaska's perspective.
- Develop, implement, and enforce plans to bring areas out of compliance with federal air quality standards back into compliance.

End Result	Strategies to Achieve End Result
A: Air quality is protected. Target #1: No days when air is unhealthy for sensitive groups. Status #1: The number of days the air is unhealthy for sensitive groups remains less than two weeks a year.	**A1: Timely issue air quality permits.** Target #1: Issue or deny all construction and minor permits within 130 days after receipt of a completed application. Status #1: Thirty-six permits were issued in a timely manner in FY 2008, an increase in timely performance of 20% despite an increase in workload of nearly 65%. Target #2: Issue all air quality operating permit renewals within 180 days after receipt of a complete application. Status #2: One air quality permit was issued within 180 days and two were issued later than 180 days during FY 2008. 76 complete renewal applications were pending at the end of the fiscal year. **A2: Minimize pollution from gasoline vehicles.** Target #1: For communities that have vehicle Inspection and Maintenance (I/M) programs, 95% of vehicles are found to be in compliance with tailpipe emission requirements. Status #1: Over 95% of the vehicles inspected for tailpipe emission compliance, known as the I/M program, were found in compliance in FY 2008, a 5% compliance improvement in two years. **A3: Minimize pollution from stationary sources.** Target #1: All facilities requiring air quality permits are known to be in compliance. Status #1: In FY 2008, 252 out of 461 stationary sources were known to be in compliance with air quality permits.

Major Activities to Advance Strategies

- Establish and operate air monitors.
- Develop strategies to address particulate matter pollution problems.
- Implement a Quality Management System for permit and compliance services.
- Review federal rulemakings, determine impacts on Alaska, and need for comment.
- Oversee the implementation of the state's motor vehicle emission inspection and maintenance program.
- Conduct compliance inspections and in-office compliance reviews.
- Assist the Commissioner and the executive sub-cabinet in developing a climate change strategy.
- Improve on-line permitting services and compliance reporting for external users.

FY2010 Resources Allocated to Achieve Results

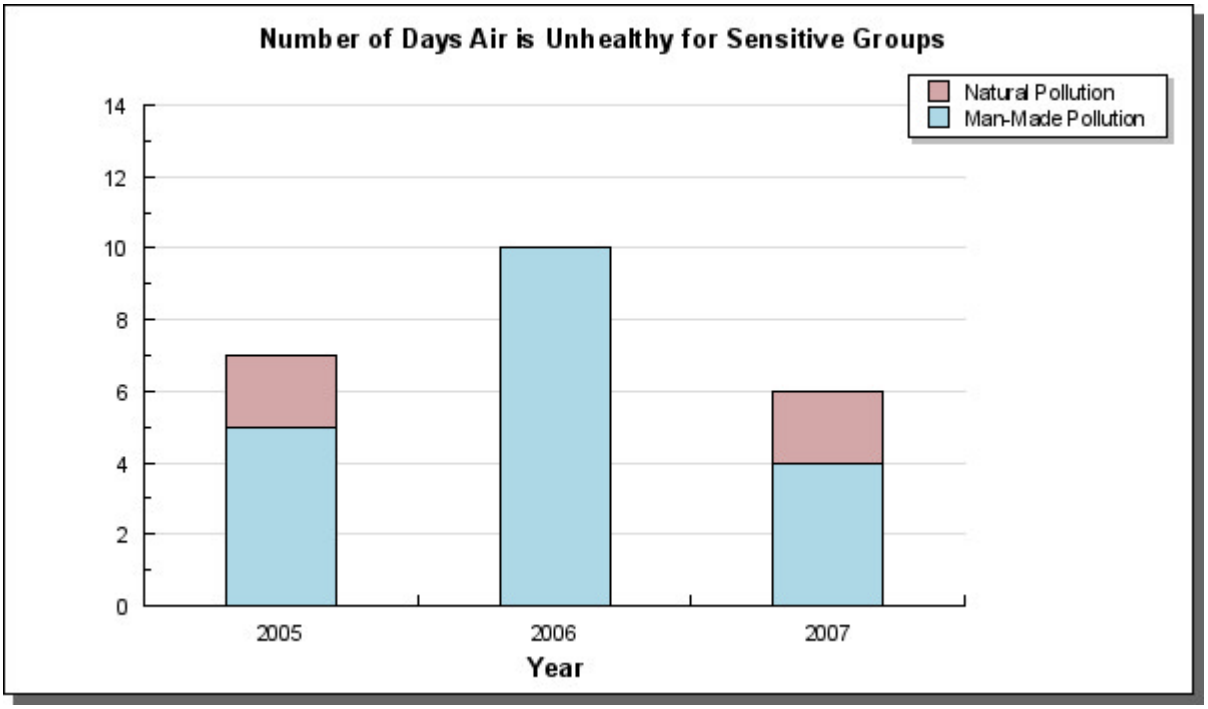
FY2010 Results Delivery Unit Budget: $9,705,700

Personnel:	
Full time	62
Part time	0
Total	62

Performance

A: Result - Air quality is protected.

Target #1: No days when air is unhealthy for sensitive groups.
Status #1: The number of days the air is unhealthy for sensitive groups remains less than two weeks a year.



Methodology: Data is calculated using sampling information from samplers in the Municipality of Anchorage, City and Borough of Juneau, the Fairbanks North Star Borough and the Mat-Su Valley.

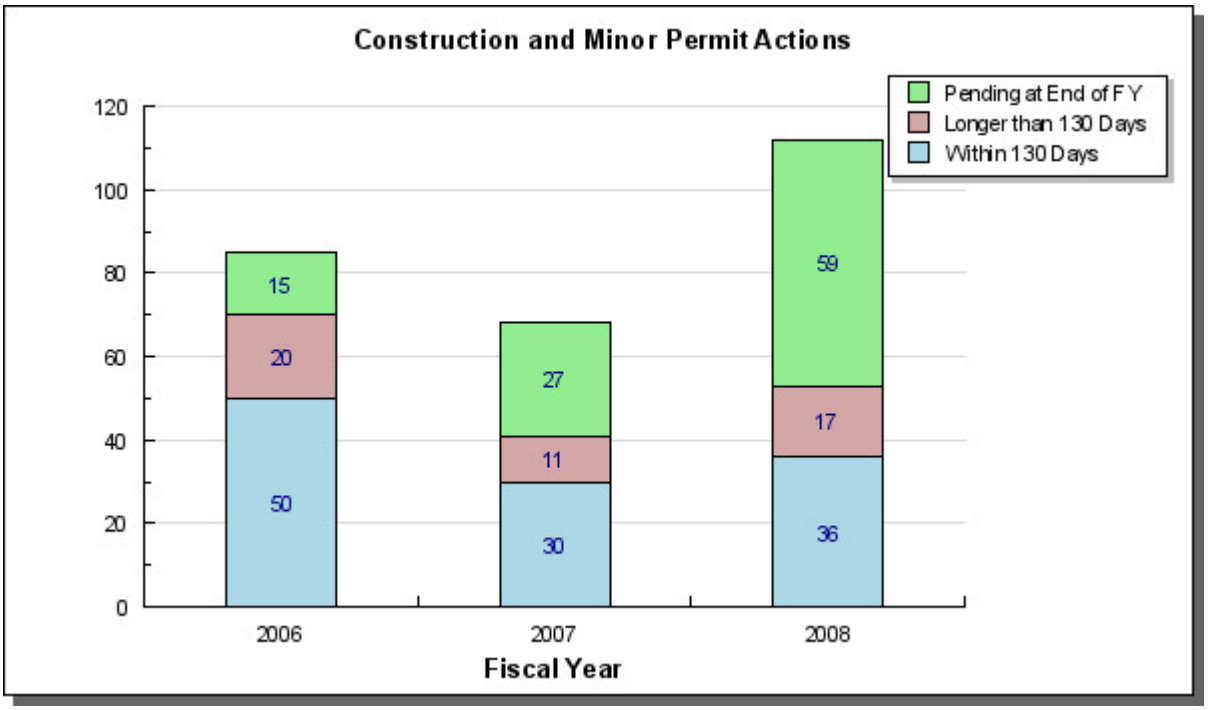
Analysis of results and challenges: The data for the 2008 calendar year will be available in March 2009.

DEC has been collecting ambient air data in most major communities around the state for over 25 years. Air monitoring is performed to ensure compliance with the National Ambient Air Quality Standards designed to protect public health. The U.S. EPA sets health based standards for particulate matter and gaseous pollutants. In the state, the pollutants of concern are carbon monoxide, fine particulate matter and coarse particulate matter. Violations of the standards occur when the concentration of air pollution rises above the limit set either through natural events or through emissions from man-made sources. Natural pollution includes smoke from wild fires (fine particulate matter called PM2.5), ash from volcanic eruption or windblown dust from gravel bars and other exposed gravel surfaces (coarse particulate matter called PM10). Man-made pollution is produced by exhaust from combustion processes, such as diesel and gas vehicle emissions and emissions from home heating systems like wood stoves.

The chart shows the number of days the air quality was unhealthy for sensitive groups, i.e. children, the elderly, and people with heart or lung disease, over the last 3 calendar years. In 2005 and 2007 the natural events were caused by windblown dust. Since 2000 no violations of the Carbon Monoxide (CO) standards have been recorded. More information about DEC air monitoring projects throughout the state, including PM10 and regional haze, can be found at http://www.dec.state.ak.us/air/am/index.htm.

A1: Strategy - Timely issue air quality permits.

Target #1: Issue or deny all construction and minor permits within 130 days after receipt of a completed application.
Status #1: Thirty-six permits were issued in a timely manner in FY 2008, an increase in timely performance of 20% despite an increase in workload of nearly 65%.



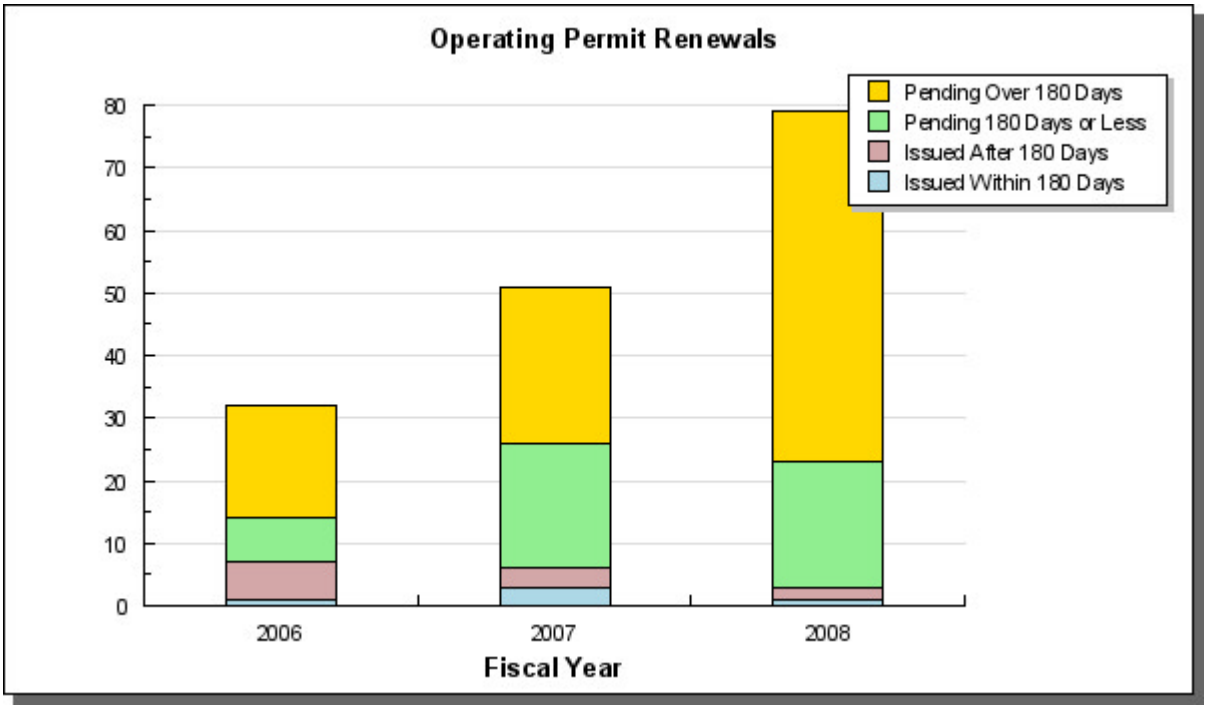
Methodology: Records of permits issued during the Fiscal Year and applications received but not issued. Days to issue permit is calculated from the date an application is found complete until permit is issued, less any days waiting for information from applicant, as recorded by the Department's AirTools Database

Analysis of results and challenges: Either an air quality construction permit or a minor permit is required before building or increasing an air pollution source. Timely issuance of these permits allows responsible development to proceed without unnecessary delay. FY 2008 saw a significant increase in development projects seeking permits.

The chart shows the total air quality construction and minor permit applications worked on during the fiscal year, with the exception of applications withdrawn. The pending category includes those applications received too late in the fiscal year to be acted on, applications still under review, and applications for which additional information is required from the applicant. Applications pending at the end of the fiscal year are typically completed during the subsequent fiscal year.

The data shows that the workload for air quality construction and minor permits increased from 68 applications in FY 2007 to 112 in FY 2008. The division was able to make effective use of contractor resources during the second half of FY 2008. The division issued more total permits and more timely permits in FY 2008, and continues to recover from the loss of critical experienced personnel in FY 2007. Note that the number of permit applications pending at the end of FY 2008 is greater than the total number of permits issued that year. The division will make every effort to make effective use of contractor resources, retain experienced staff, and quickly train newer staff to handle the increased workload for the upcoming fiscal year.

Target #2: Issue all air quality operating permit renewals within 180 days after receipt of a complete application.
Status #2: One air quality permit was issued within 180 days and two were issued later than 180 days during FY 2008. 76 complete renewal applications were pending at the end of the fiscal year.



Methodology: Records of permits issued during the Fiscal Year and applications pending (received but not issued). Time to issue permit is calculated from date an application is found complete until permit is issued, less any days waiting for information from applicant, as recorded in the Department's AirTools Database.

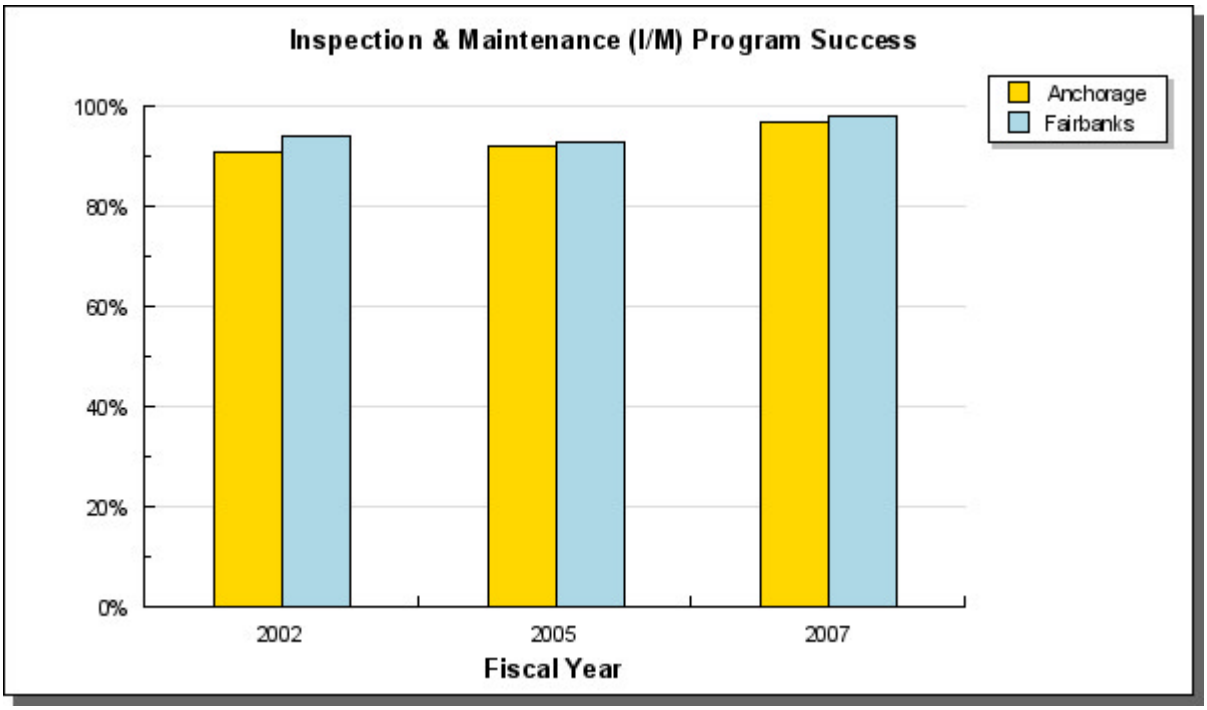
Analysis of results and challenges: Air quality operating permits require a facility to comply with all applicable air quality requirements, and establish self-monitoring conditions to verify compliance. Up-to-date operating permits ensure that the facility understands their current air quality obligations. A permit must be renewed and updated every five years.

The department chose 180 days as its target processing time because renewal applications must be received 180 days before the existing permit expires. Most existing permits expired in FY 2007 and FY 2008. This is reflected in the chart in the large increase in pending applications. Pending applications include a count of all complete applications awaiting final processing at the end of the fiscal year. Those applications received too late in the fiscal year to be acted on, applications still under review, and applications for which additional information is required from the applicant.

The chart shows a trend of fewer renewal permits being issued each fiscal year. This was caused by the surge in workload, turnover of experienced permit staff, minimal use of contractor resources, and changing priorities placed on permit renewal versus compliance review. The Department has dealt with these deficiencies by establishing the performance measure; dedicating staff to an air quality operating permit renewal team, and making a more effective use of contractor resources. It is expected that significantly more permits will be issued in FY 2009, but progress in meeting the 180 day goal will take longer.

A2: Strategy - Minimize pollution from gasoline vehicles.

Target #1: For communities that have vehicle Inspection and Maintenance (I/M) programs, 95% of vehicles are found to be in compliance with tailpipe emission requirements.
Status #1: Over 95% of the vehicles inspected for tailpipe emission compliance, known as the I/M program, were found in compliance in FY 2008, a 5% compliance improvement in two years.



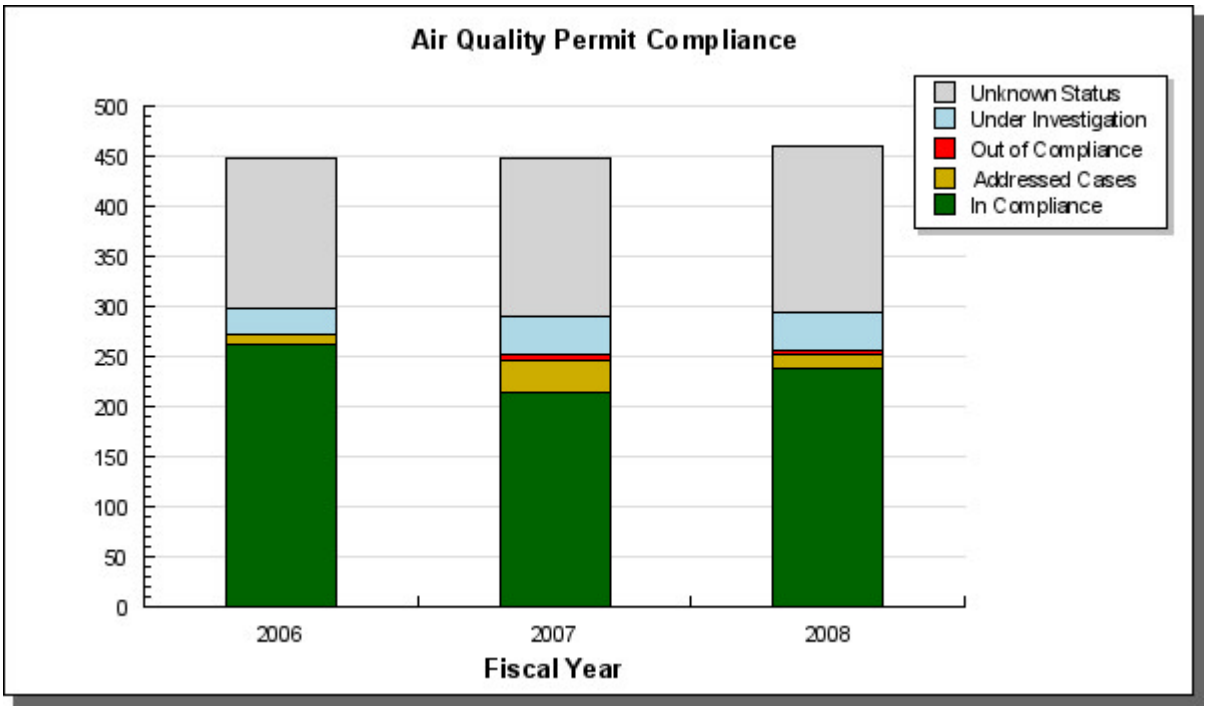
Methodology: A visual survey of in-use vehicles is conducted every other year in Anchorage and Fairbanks, recording the license plate and windshield information. Compliance rates are calculated from the data collected. The compliance rate is the ratio of the total number of vehicles found to be in compliance with the I/M program versus the total number of vehicles sighted during the survey that are required to meet the I/M requirements.

Analysis of results and challenges: Results indicate that efforts by local communities, the Department of Environmental Conservation and the Division of Motor Vehicles to educate and enforce I/M requirements are working. Compliance rates are at their highest levels since the start of the local programs in the mid 1980's. These compliance rates meet the commitment made in the State Air Quality Control Plan.

Challenges revolve around the continued necessity for education and enforcement as long as programs are in place. This is due to people moving in and out of I/M areas and the incentive for individuals to either evade or be out of compliance when costly vehicle emission component repairs are required.

A3: Strategy - Minimize pollution from stationary sources.

Target #1: All facilities requiring air quality permits are known to be in compliance.
Status #1: In FY 2008, 252 out of 461 stationary sources were known to be in compliance with air quality permits.



Methodology: Count of source in each category at the end of the fiscal year, as recorded in the Department's AirTools and Compliance tracking databases. "Unknown Status" includes all major sources which have not been evaluated for compliance in the past two years and all minor sources that have not been evaluated in the past five years.

Air Quality Permit Compliance

Fiscal Year	In Compliance	Addressed Cases	Out of Compliance	Under Investigation	Unknown Status	Total
FY 2008	238	14	5	38	166	461
FY 2007	214	33	6	37	158	448
FY 2006	262	10	0	26	150	448

Analysis of results and challenges: The state and federal compliance assurance agreement requires major and some minor sources' compliance status to be tracked. The Department changed the performance measure in FY 2008 to include all minor sources. The data for prior years presented above includes all minor sources. Roughly 250 sources are in compliance and 166 sources have unknown compliance. "Investigation" includes sources undergoing closer scrutiny to evaluate potential noncompliance. "Out of Compliance" includes sources for which the department has made a non-compliance determination. "Addressed cases" include sources found to be out of compliance but corrected through department action during the fiscal year.

The insignificant fluctuation from year to year for the status groups results from meeting the previous performance measure of ensuring compliance for major sources only. Under federal compliance reporting, status reverts to "unknown" if compliance was not evaluated in the past 2 years for major sources or 5 years for minor sources. The majority of the "unknown status" sources are minor sources not required to be evaluated under the state and federal compliance assurance agreement. Assessing the compliance status of these additional minor sources is a new initiative beginning in FY 2009.

Component: Air Director

Contribution to Department's Mission

Lead and direct division staff in accomplishing department results.

Core Services

- Overall leadership and management of the air quality programs of the division.

Major Activities to Advance Strategies

- Manage, direct and mentor to deliver the program reforms embodied in Air Quality's mission.

FY2010 Resources Allocated to Achieve Results

FY2010 Component Budget: $257,300

Personnel:	
Full time	2
Part time	0
Total	2

Component: Air Quality

Contribution to Department's Mission

Identify, prevent, abate, and control air pollution to protect public health and the environment in a cost-effective, accountable manner.

Core Services

- Issue air quality permits to facilities that release potentially harmful pollutants.
- Provide compliance assistance and enforcement (inspections and operating report reviews).
- Community assistance to protect air quality.
- Air quality assessments.

Major Activities to Advance Strategies

- Establish and operate air monitors.
- Develop strategies to address particulate matter pollution problems.
- Implement Quality Management System for permit and compliance services.
- Conduct compliance inspections and in-office compliance reviews.
- Assist the Commissioner and the executive sub-cabinet in developing a climate change strategy.
- Improve on-line permitting services and compliance reporting for external users.

FY2010 Resources Allocated to Achieve Results

FY2010 Component Budget: $9,448,400

Personnel:	
Full time	60
Part time	0
Total	60

Spill Prevention and Response Results Delivery Unit

Contribution to Department's Mission

Reduce unlawful oil and hazardous substance contamination in the environment.

Core Services

- Manage Division resources to protect public health and the environment through the safe handling and cleanup of oil and hazardous substances.
- Ensure that producers, transporters and distributors of crude oil and refined oil products prevent oil spills, and are fully prepared materially and financially to clean up spills.
- Prevent and mitigate the effects of oil and hazardous substance releases and ensures their cleanup through government planning and rapid response.
- Oversee and conduct cleanups at contaminated sites in Alaska and prevent releases from underground storage tanks and unregulated aboveground storage tanks.
- Manage the Oil and Hazardous Substance Release Prevention and Response Fund as a viable, long-term funding source for the state's core spill prevention and response initiatives.

Major Activities to Advance Strategies

- Ensure emergency response and removal of oil and hazardous substance releases.
- Ensure the remediation of contaminated sites.
- Review regulated facility and vessel applications for compliance with oil discharge prevention and contingency plan requirements.
- Review oil discharge prevention and contingency plan requirements and update regulations.

FY2010 Resources Allocated to Achieve Results

FY2010 Results Delivery Unit Budget: $17,523,700

Personnel:	
Full time	147
Part time	1
Total	148

Component: Spill Prevention and Response Director

Contribution to Department's Mission

Protect public safety, public health and the environment through prevention, preparedness and cleanup of oil and hazardous substance releases.

Core Services

- Manage Division resources to protect public health and the environment through safe handling of oil and cleanup of oil and hazardous substance releases.
- Manage the Oil and Hazardous Substance Release Prevention and Response Fund.
- Coordinate state spill prevention and response programs with state and federal agencies, industry and nongovernmental organizations.
- Implement state spill prevention and response programs to ensure the safe handling of oil through prevention, preparedness and response using a risk-based approach.

Major Activities to Advance Strategies

- Manage Division resources to ensure response, removal and remediation of oil and hazardous substance releases.
- Implement a risk-based decision making process to ensure that division resources are directed to the highest priority division needs.

FY2010 Resources Allocated to Achieve Results

FY2010 Component Budget: $267,700

Personnel:	
Full time	2
Part time	0
Total	2

Component: Contaminated Sites Program

Contribution to Department's Mission

Protect public health and the environment by identifying, overseeing and conducting the cleanup, redevelopment, and management of contaminated sites in Alaska.

Core Services

- Identify, assess, rank, prioritize, and track all contaminated sites in Alaska.
- Oversee the cleanup and long term monitoring of contaminated sites in Alaska.
- Conduct cleanups of highest-priority state-owned, privately owned, and orphan sites using a risk based approach.
- Manage cleanup and provide regulatory oversight for military, federal agency, private party and State owned contaminated sites.
- Provide regulatory oversight, technical assistance, and policy development to Department of Defense and Federal Civilian Agencies on environmental cleanup activities.
- Negotiate with responsible parties, private or federal, for funding agreements to provide effective cleanup of contaminated sites.
- Manage conditionally closed contaminated sites to ensure risk is appropriately controlled over time.
- Provide technical assistance to responsible parties of contaminated sites.

End Result	Strategies to Achieve End Result
A: Contaminated sites are restored for reuse. Target #1: Restore 300 contaminated sites for use each fiscal year. Status #1: 312 contaminated sites were restored for reuse in FY 2008.	**A1: Risk from contaminated sites is reduced.** Target #1: Reduce historical contamination each year. Status #1: There are 2,422 existing contaminated sites with approximately 11,500 open or potentially open exposure pathways.

Major Activities to Advance Strategies

- Provide regulatory oversight and management of contaminated sites to facilitate closures.
- Conduct cleanups of state owned and orphan sites.
- Manage institutional controls at sites to limit risk to public health and the environment.

FY2010 Resources Allocated to Achieve Results

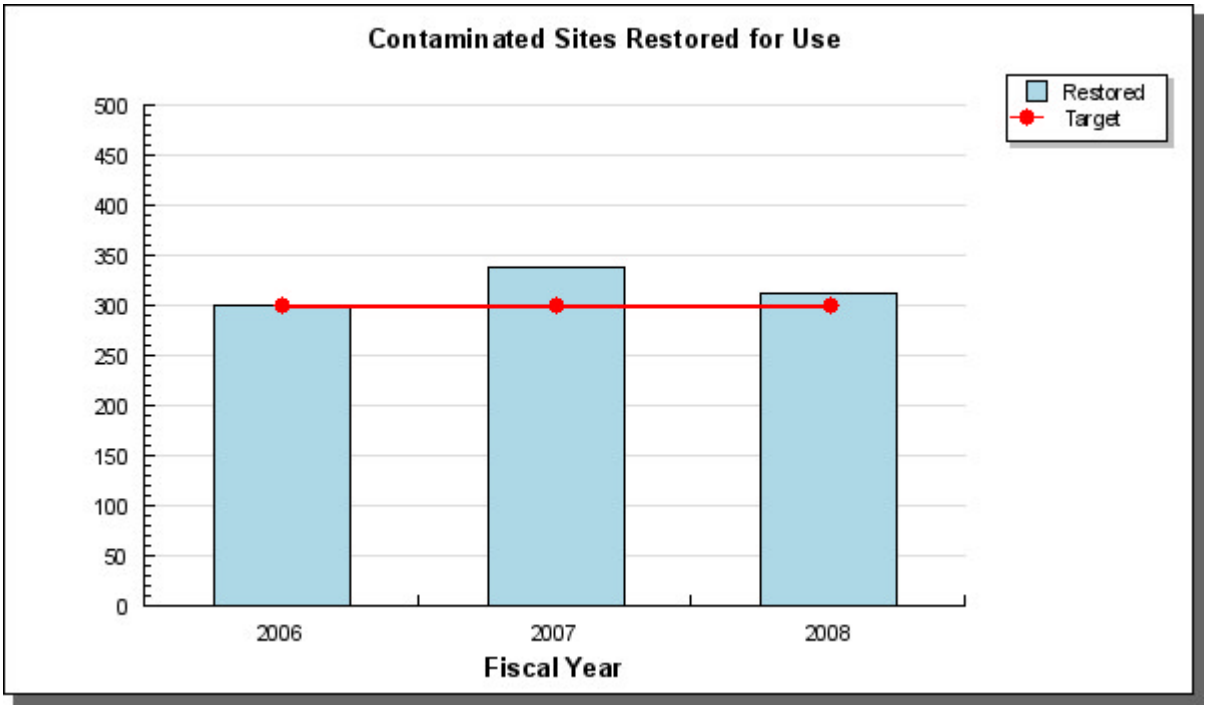
FY2010 Component Budget: $7,274,300

Personnel:	
Full time	65
Part time	0
Total	65

Performance

A: Result - Contaminated sites are restored for reuse.

Target #1: Restore 300 contaminated sites for use each fiscal year.
Status #1: 312 contaminated sites were restored for reuse in FY 2008.



Methodology: Total Restored per year combines those where cleanup is complete as well as those with institutional controls.

Analysis of results and challenges: Contaminated sites are properties where spills of oil or hazardous substances occurred in the past or where new spills cannot be quickly cleaned up by Spill Prevention and Response's (SPAR) Prevention and Emergency Response Program. Much of the contamination addressed by the CSP is underground and extremely difficult and expensive to completely remove from the environment. Therefore, the Contaminated Sites Program (CSP) utilizes a risk-based approach that sets regulatory cleanup standards based on the potential threat to human health and the environment. When cleanup to regulatory standards is not practical, controls such as land-use restrictions or monitoring of contaminants (known as institutional controls or ICs) are used to prevent exposure until contamination naturally breaks down in the environment. When the CSP determines that active cleanup is complete at a site it issues a Cleanup Complete determination that indicates the property is restored for use.

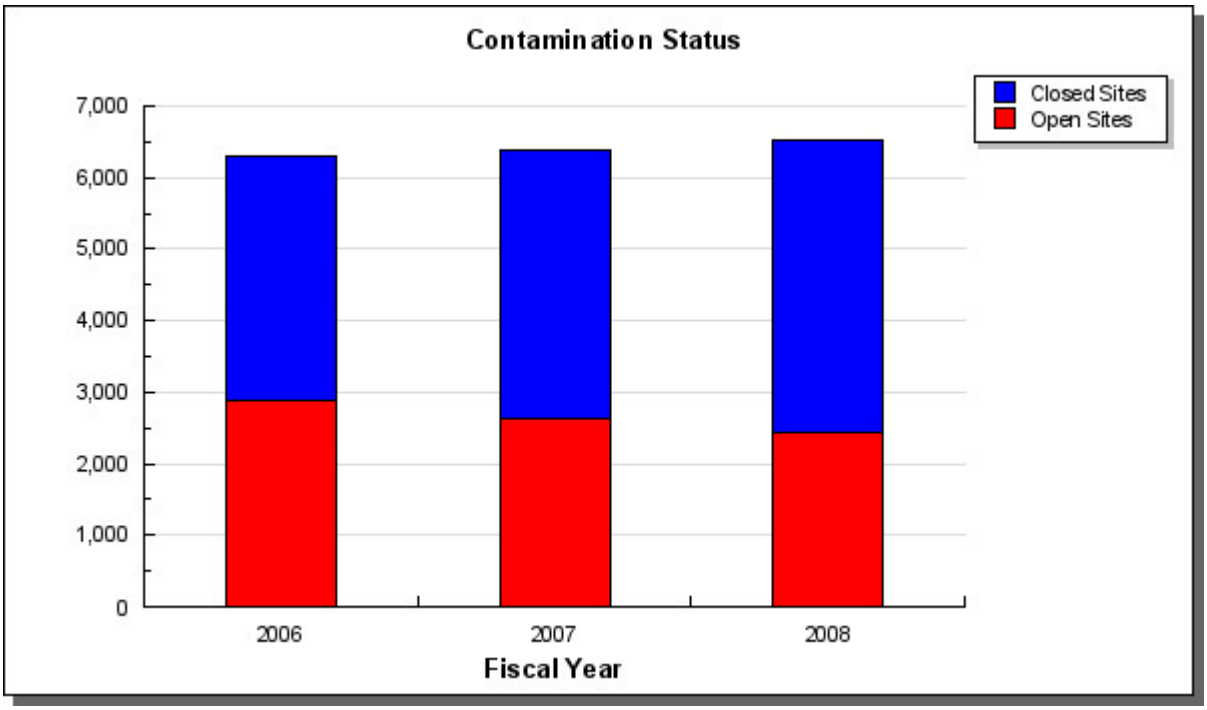
In FY 2008, the CSP set a target of restoring 300 contaminated sites for use. This target is based on a review of the number of sites restored in each previous year and taking into consideration current resources and staffing levels. We were able to meet this goal by issuing Cleanup Complete determinations for 312 sites (141 Cleanup Complete & 171 Cleanup Complete with ICs). As of June 30, 2008, 4,076 or 63% of the 6,498 known contaminated sites have been restored for use.

One of the challenges faced by the CSP is that approximately 150 historic sites are discovered each year and added to the inventory of known contaminated sites, making it difficult to achieve our end goal of restoring all contaminated sites for use. Fortunately, this challenge has been offset by the success of the SPAR Prevention and Emergency Response Program in cleaning up new spills.

For more details on the CSP, please visit our website at http://www.dec.state.ak.us/spar/csp/index.htm.

A1: Strategy - Risk from contaminated sites is reduced.

Target #1: Reduce historical contamination each year.
Status #1: There are 2,422 existing contaminated sites with approximately 11,500 open or potentially open exposure pathways.



Methodology: The number of known contaminated sites and the number of contaminated sites closed out with no further action required are cumulative figures.

Analysis of results and challenges: Alaska has many sites that have been contaminated with oil or hazardous substances. The total number of known contaminated sites at the end of FY 2008 was 6,521, representing an increase of 133 sites since July 1, 2007. The total number of closures during the same period was 312 sites, meaning that the percentage of closed sites relative to the total site universe continues to increase (currently approximately 63%). This percentage will continue to fluctuate annually depending on the number of newly discovered historical sites and spill sites transferred from the Spill Response Program, the complexity of existing projects and associated closures, and the level of resources available to provide regulatory oversight or conduct cleanup.

Component: Industry Preparedness and Pipeline Operations

Contribution to Department's Mission

Protect public safety, public health and the environment and ensure that producers, transporters and distributors of crude oil and refined oil products prevent oil spills, and are fully prepared materially and financially to clean up spills.

Core Services

- Review and approval of oil discharge prevention and contingency plans.
- Conduct and participate in spill drills to verify by demonstration that regulated operators are in compliance with state response planning requirements.
- Inspect regulated facilities and vessels to provide assistance and to ensure compliance with state spill prevention and Best Available Technology (BAT) requirements.
- Review and approve applications for proof of financial responsibility to ensure that regulated operators have the financial resources to respond to an oil spill and mitigate environmental damage.
- Register oil spill primary response action contractors identified in oil discharge prevention and contingency plans.
- Regulate and provide technical assistance and training to underground storage tank operators and owners to ensure proper tank operation and maintenance and basic spill prevention.
- Certify third party underground storage tank inspectors.

End Result	Strategies to Achieve End Result
A: Regulated facilities and vessel operators are able to prevent and respond to spills of oil and hazardous substances. Target #1: The volume of oil spilled from regulated facilities and vessels in Alaska that are required to have approved contingency plans will not exceed 10% of the total volume of oil spilled. Status #1: Less than 4% of the total volume of oil spilled in FY 2008 was from regulated facilities and vessels with approved contingency plans.	**A1: Conduct exercises and inspections of regulated facilities and vessel operators.** Target #1: Annually 100% of contingency plan holders identified as high risk are inspected or participate in an oil discharge exercise. Status #1: Approximately 69% of annual targeted inspections and exercises were completed in FY 2008. **A2: Evaluate the quality of regulated industry contingency plans.** Target #1: 100% of plan holders are without major violations of their contingency plans. Status #1: Nearly 99% of non-tank vessels and 98.5% of regulated facilities were without major contingency plan violations in FY 2008.

Major Activities to Advance Strategies

- Review oil discharge prevention and contingency plan requirements and improve and expand the regulations to increase clarity and effectiveness.
- Review and expand oil spill prevention oversight of industry, including new regulations and increased regulatory oversight of higher risk operations.
- Review regulated facility and vessel applications for compliance with oil discharge prevention and contingency plan requirements.
- Inspect and conduct spill response exercises at facilities and vessels identified as high risk.

FY2010 Resources Allocated to Achieve Results

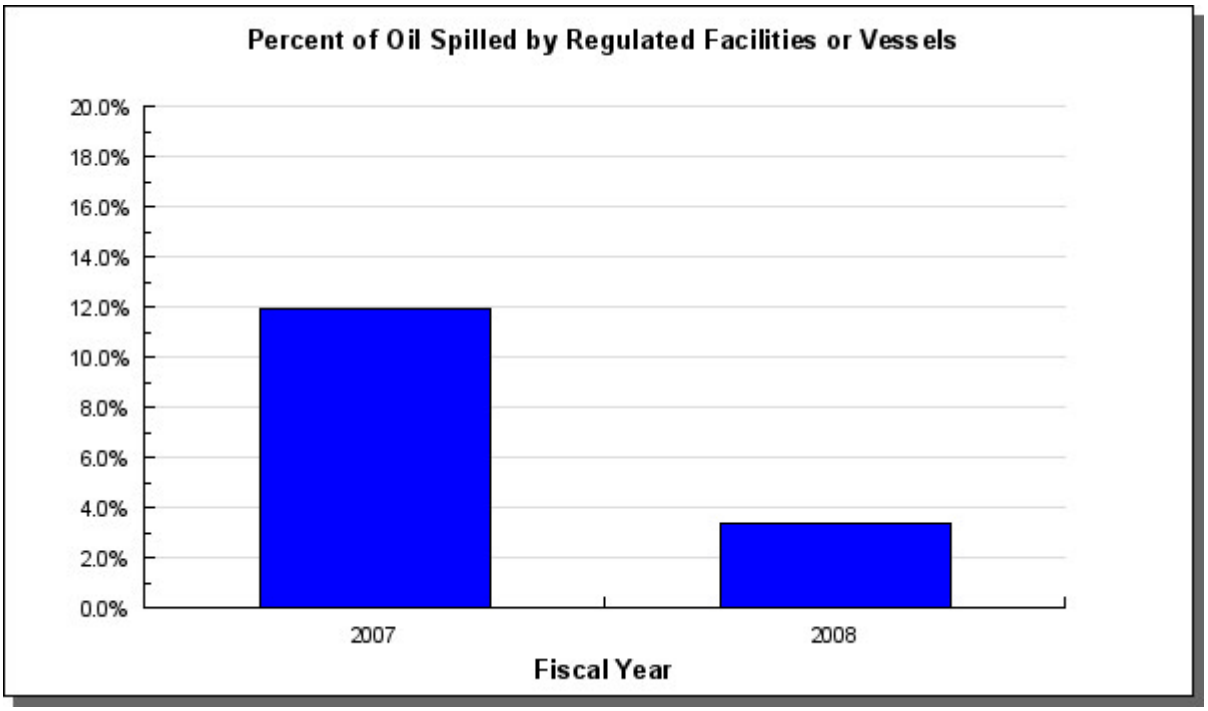
FY2010 Component Budget: $4,471,000

Personnel:	
Full time	39
Part time	1
Total	40

Performance

A: Result - Regulated facilities and vessel operators are able to prevent and respond to spills of oil and hazardous substances.

Target #1: The volume of oil spilled from regulated facilities and vessels in Alaska that are required to have approved contingency plans will not exceed 10% of the total volume of oil spilled.
Status #1: Less than 4% of the total volume of oil spilled in FY 2008 was from regulated facilities and vessels with approved contingency plans.



Methodology: From the spills database extract total volume of oil spilled by fiscal year. Then extract total volume of oil spilled from a regulated component of a regulated facility. Calculates the % of the total oil spilled that spilled from regulated component.

Percent of Oil Spilled by Regulated Facilities or Vessels

Fiscal Year	Gallons from Regulated	Gallons from All Spills	Percent from Regulated
FY 2008	8,099	237,223	3.4%
FY 2007	16,884	141,449	11.9%

Analysis of results and challenges: Industry components regulated by the Industry Preparedness Program (IPP) are found in oil exploration, production facilities, refineries, railroads, crude oil pipelines, terminals, tank farms and tankers, non-crude oil tank vessels and barges, and non-tank vessels. The regulatory authority IPP employs is through the requirement of industry oil discharge prevention and contingency plans. Contingency plans require the

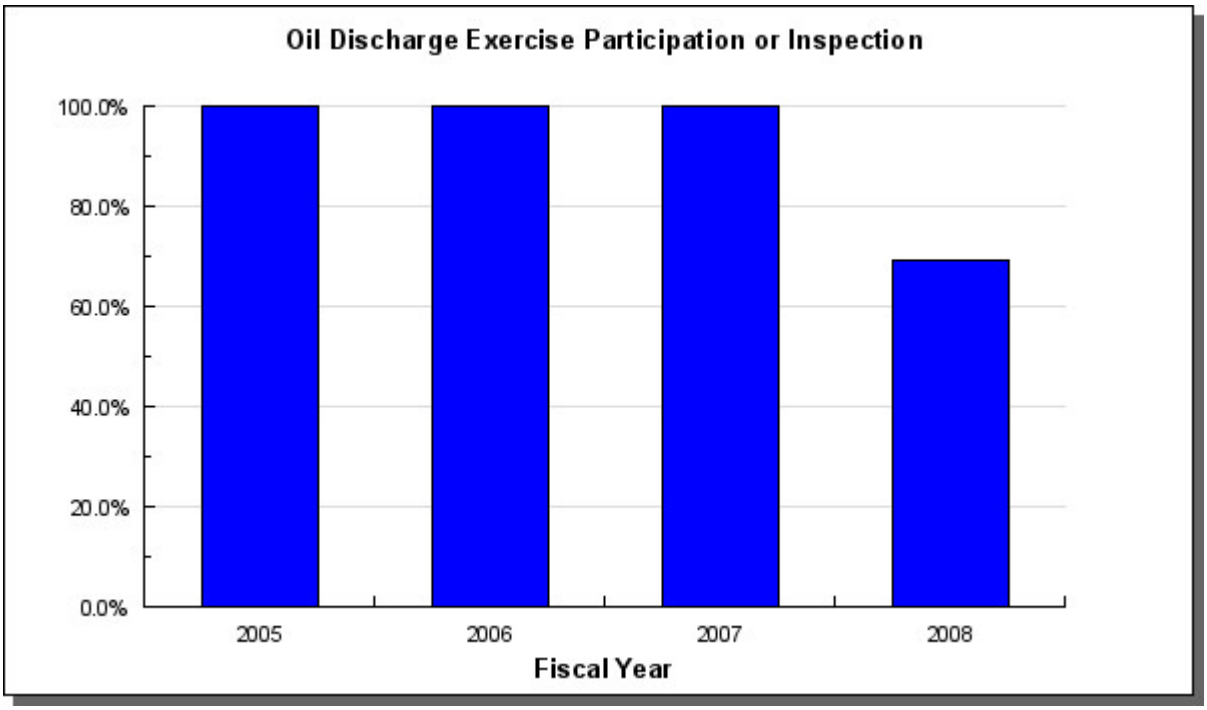
use of particular technologies and best practices to prevent spills of oil.

In FY 2007 the high percentage is attributed to spills that occurred at the Prudhoe Bay Oil Field, Kuparuk Oil Field and at the Milepost 178.6 of the Trans-Alaska Pipeline System. It was in FY 2007 that the Greater Prudhoe Bay Oil Field, the largest oilfield in the United States, was temporarily shut down.

A1: Strategy - Conduct exercises and inspections of regulated facilities and vessel operators.

Target #1: Annually 100% of contingency plan holders identified as high risk are inspected or participate in an oil discharge exercise.

Status #1: Approximately 69% of annual targeted inspections and exercises were completed in FY 2008.



Methodology: The percentage of oil discharge exercise participations or inspections is calculated by dividing the number of high risk contingency plan holders that were inspected or participated in an exercise by the number of contingency plan holders considered high risk.

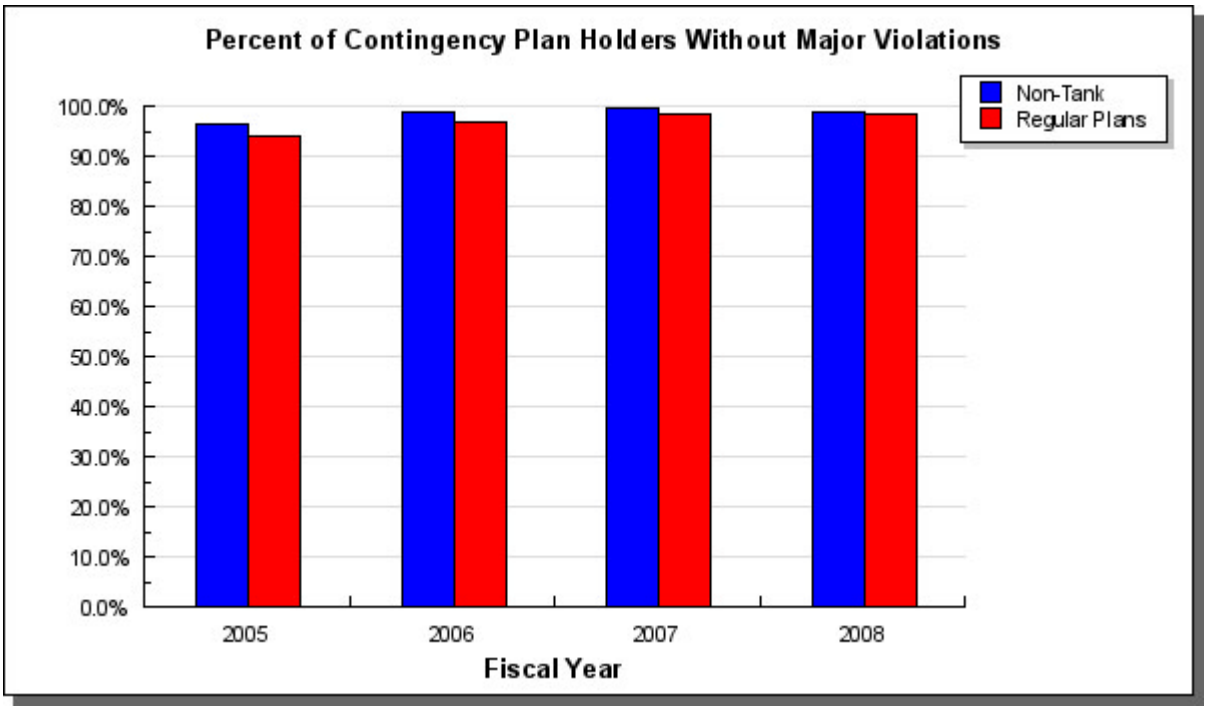
Analysis of results and challenges: Regulated facilities and vessel operators in Alaska are required to have approved oil discharge prevention and contingency plans in place before they are allowed to operate. These contingency plans outline the various steps and procedures in place to prevent oil discharges and the actions that would be taken to implement quick and effective containment and cleanup in the event of an oil discharge into the environment. Preventing oil spills is the best means of protecting the environment and human health. In the event of a discharge, however, a quick and effective response helps lessen its adverse impacts on the environment and human health.

High risk facilities and vessels in the state include those with new contingency plans, exploration facilities, those with spills, those with formal enforcement actions based on operations violations, and those that would have significant impacts to human health or the environment if there was a failure.

All facilities or vessels required to have a contingency plan represent risk to the State of Alaska, even if they are not identified as “high risk.” Auditing, inspecting, or testing a percentage these facilities and contingency plans is important for on-going prevention and response readiness verification.

A2: Strategy - Evaluate the quality of regulated industry contingency plans.

Target #1: 100% of plan holders are without major violations of their contingency plans.
Status #1: Nearly 99% of non-tank vessels and 98.5% of regulated facilities were without major contingency plan violations in FY 2008.



Methodology: Major violations are captured in the CATS program. The number of contingency plan holders that receive a major violation are subtracted total number of plan holders in each fiscal year and the % of those operators with violations is calculated.

Analysis of results and challenges: A major violation, by definition, is one where the Department pursues formal enforcement action such as a Notice of Violation or a Compliance Order. Examples of major violations would include such things as insufficient or inoperable spill response equipment, lack of required contracts with response action contractors, failure to follow required inspection or maintenance procedures, significant operational changes to a facility without a corresponding amendment of the plan, or operating a facility without an approved plan. These plans outline the procedures that would be followed to ensure quick and effective containment and cleanup in the event of a release of oil into the environment. They also identify required training, inspection, and maintenance procedures intended to prevent spills from occurring.

The Department has limited control over the number of major violations, since it cannot control a plan holder's actions if the plan holder chooses not to comply with its contingency plan. The Department strives to work with plan holders to resolve compliance issues; however, sometimes formal enforcement action must be taken. In these situations, the department always works to immediately resolve major violations.

Facilities required to have full contingency plans (an average of 127 since 2005) include oil exploration and production facilities, refineries, railroads, crude oil pipelines, fuel terminals, crude oil tankers, and non-crude tankers and barges. Vessels larger than 400 GRT (for example cruise ships and large cargo and fishing vessels; an average of 420 contingency plans) are also required to have contingency plans, but are subject to somewhat different requirements. Before approving a plan, Department staff conducts a thorough review, to ensure that all response requirements are addressed.

Component: Prevention and Emergency Response

Contribution to Department's Mission

Protect public safety, public health and the environment by preventing and mitigating the effects of oil and hazardous substance releases and ensuring their cleanup through government planning, preparedness and rapid response.

Core Services

- Coordinate and direct the state's response and protect public and environmental resources from the effects of spills of oil and hazardous substances.
- Minimize the damage to public health and the environment by implementing the Incident Command System for large events.
- Oversee cleanup by the responsible party to ensure spills are cleaned up as quickly as possible.
- Intervene when spill response is inadequate.
- Integrate coastal and inland Alaska communities into a statewide response system through local response agreements.
- Provide equipment and training to local personnel and communities participating in the Alaska Spill Response Depot/Corps System.
- Prevent and reduce the occurrence of oil spills and hazardous substance releases from unregulated sources.
- Plan, develop and coordinate the statewide hazardous materials response team to protect public health and the environment from the effects of hazardous substance releases.
- Maintain the Federal/State Unified Plan and the ten Sub-area/Regional Contingency Plans for Alaska.
- Enforce statutes and regulations relating to oil and hazardous substance spill reporting, cleanup and restoration of the environment.

End Result	Strategies to Achieve End Result
A: Risk from new spills of oil and hazardous substances by regulated and unregulated entities is eliminated. Target #1: No new spills result in long-term remediation. Status #1: Less than 1% of new spills in FY 2008 required long-term remediation.	**A1: Clean up new oil and hazardous substance spills.** Target #1: 98% of new oil and hazardous substance spills are cleaned up or are in monitoring status. Status #1: Over 99% of new spills in FY 2008 were cleaned up or are in monitoring status.

Major Activities to Advance Strategies

- Ensure emergency response and removal of oil and hazardous substance releases.
- Implement and manage a risk assessment of marine vessel traffic in the Aleutians.
- Implement a Clean Marina/Fishing Vessel spill prevention pilot project and evaluate the project for statewide application.

FY2010 Resources Allocated to Achieve Results

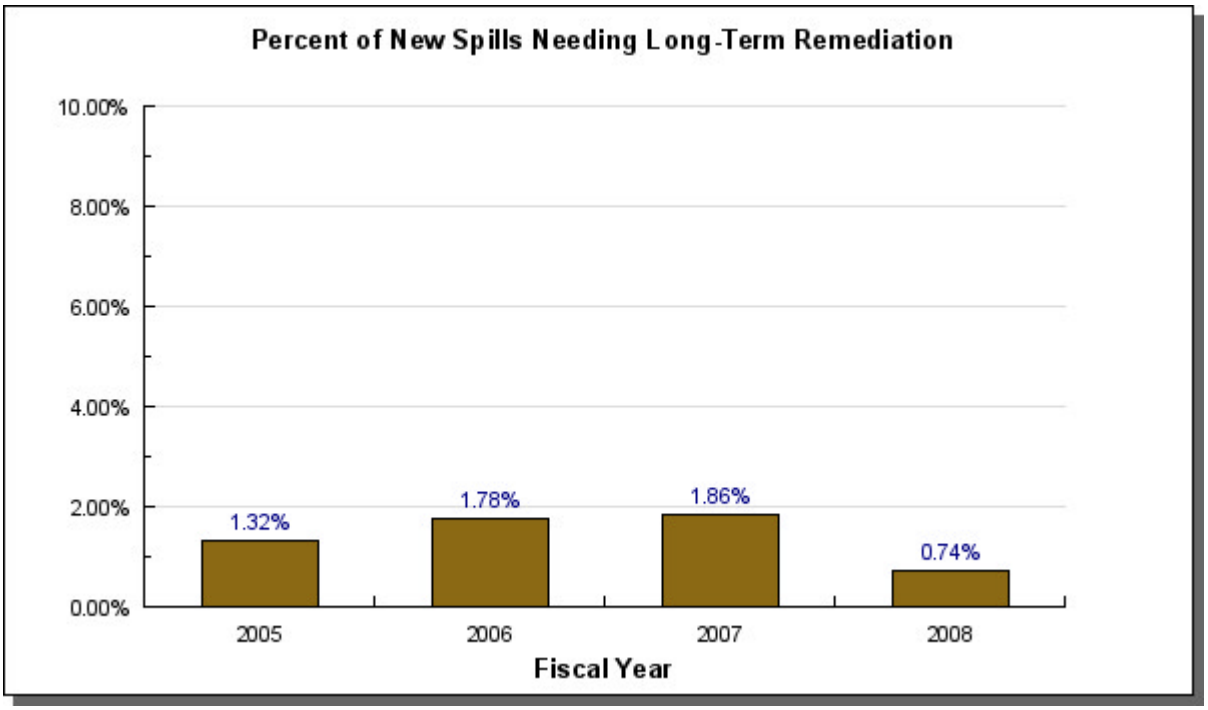
FY2010 Component Budget: $4,040,200

Personnel:	
Full time	36
Part time	0
Total	36

Performance

A: Result - Risk from new spills of oil and hazardous substances by regulated and unregulated entities is eliminated.

Target #1: No new spills result in long-term remediation.
Status #1: Less than 1% of new spills in FY 2008 required long-term remediation.



Methodology: Percent of new spills needing long-term remediation is determined each year by dividing the new spills needing long-term remediation by the total number of new spills reported in the fiscal year.

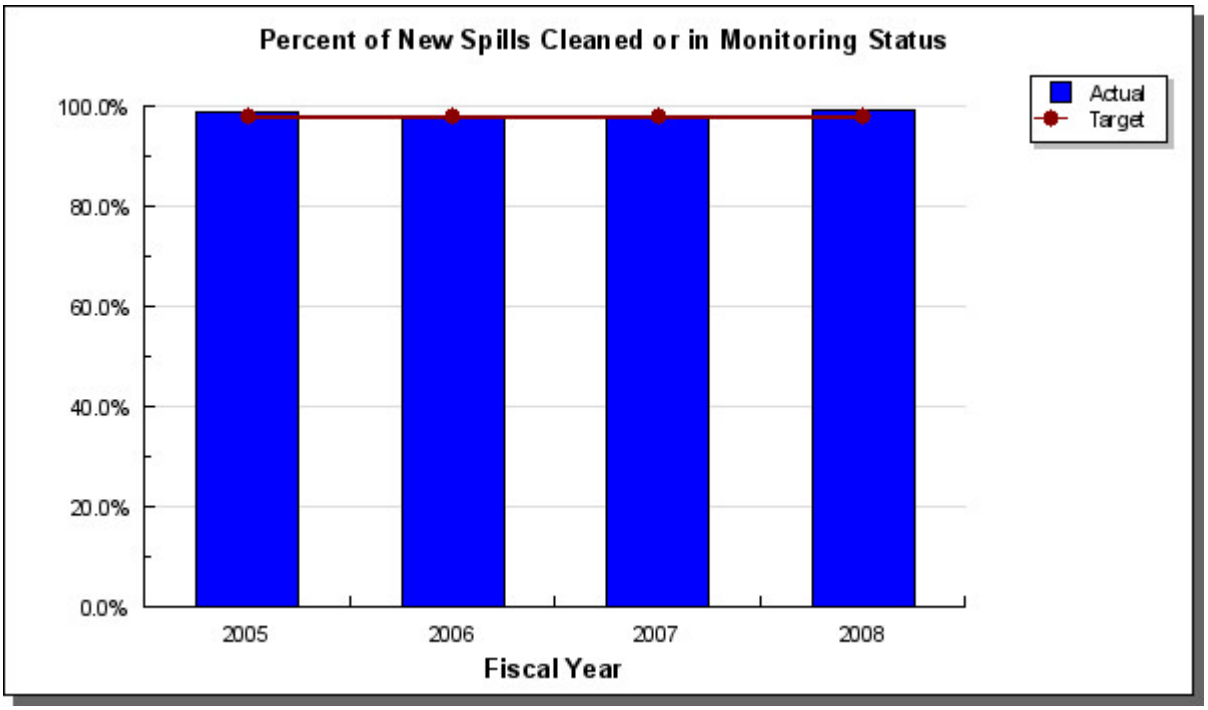
Analysis of results and challenges: The quicker a spill of oil or hazardous substances is contained and cleaned up, the less impact it will have on human health, on the environment, and on the economy. Our goal is to respond to, control, contain, and clean spills as they occur to prevent them from causing wide-spread damage to water sources, land, wildlife and adjoining properties.

Only the largest and most complex spills to land, for example, spills which impact ground water, are turned over to the contaminated sites program for long-term remediation.

Data indicates that 15 spills, representing 0.74% of new spills in FY 2008 will require long-term remediation. This represents a significant improvement over the previous three fiscal years.

A1: Strategy - Clean up new oil and hazardous substance spills.

Target #1: 98% of new oil and hazardous substance spills are cleaned up or are in monitoring status.
Status #1: Over 99% of new spills in FY 2008 were cleaned up or are in monitoring status.



Methodology: The percent of new spills cleaned or in monitoring status is determined each year by dividing the number of new spills cleaned up by the total number of new spills.

Analysis of results and challenges: When spill cases are in monitoring status, they have been cleaned to a point that allows continued use of the spill site and no longer present a threat of contaminant movement to groundwater or to adjacent properties. Frequently, this will include removing and storing contaminated soils, which are monitored during field visits until soil treatment has reduced the contamination levels to that which meets acceptable state standards.

The FY 2008 data indicates over 99% of new spills are contained, cleaned up, or are in monitoring status.

Component: Response Fund Administration

Contribution to Department's Mission

Manage the Oil and Hazardous Substance Release Prevention and Response Fund as a viable, long-term funding source for the state's core spill prevention and response initiatives and provide administrative support services to divisions programs.

Core Services

- Provide leadership and accountability of all Response Fund Administration activities, support spill prevention and response operations with quality financial analysis and provide budgetary services.
- Manage and administer the Oil and Hazardous Substance Release Prevention and Response Fund.
- Recover state costs for responding to spills.
- Track and report all operating and capital expenditures and fund source balances to program managers monthly.
- Manage and coordinate receipt and expenditure of federal dollars for cleanup of federal facilities.
- Develop cost controls and standardize division contracts.
- Manage term contracts and issue Notices to Proceed (NTPs).
- Provide technical guidance and assistance to other Spill Prevention and Response programs in administrative functions such as budget and finance, contracting and procurement, accounting and human resources.
- Provide administrative and financial support during emergency spill response situations.
- Manage and track funding under the North Slope Charter Agreement.
- Manage Reimbursable Services Agreements for the division.
- Prepare annual and biennial reports.
- Review, evaluate and respond to audits of the Division's business practices.

End Result	Strategies to Achieve End Result
A: State is reimbursed for funds spent on cleanup or remediation of oil or hazardous substance spills caused by private and/or federal entities. Target #1: Recover 80% of cost recoverable state funding spent on cleanup or remediation of oil or hazardous substance spills caused by private and/or federal entities. Status #1: Recovered over 80% of cleanup and/or remediation costs from oil and hazardous substance spills caused by private and/or federal entities.	**A1: Provide adequate documentation to the Department of Law for cost recoverable sites.** Target #1: Adequate documentation is provided for 100% of cost recoverable sites. Status #1: Adequate documentation has been provided to the Department of Law for over 85% of cost recoverable sites.

Major Activities to Advance Strategies

- Identify and pursue sources of cost recovery to assist in funding response, removal and remediation of oil and hazardous substance releases.
- Manage term contracts and issue Notices to Proceed to implement cleanup of contaminated sites.
- Provide financial management of federal contracts to ensure expenditure of federal dollars are maximized and spent appropriately.

FY2010 Resources Allocated to Achieve Results

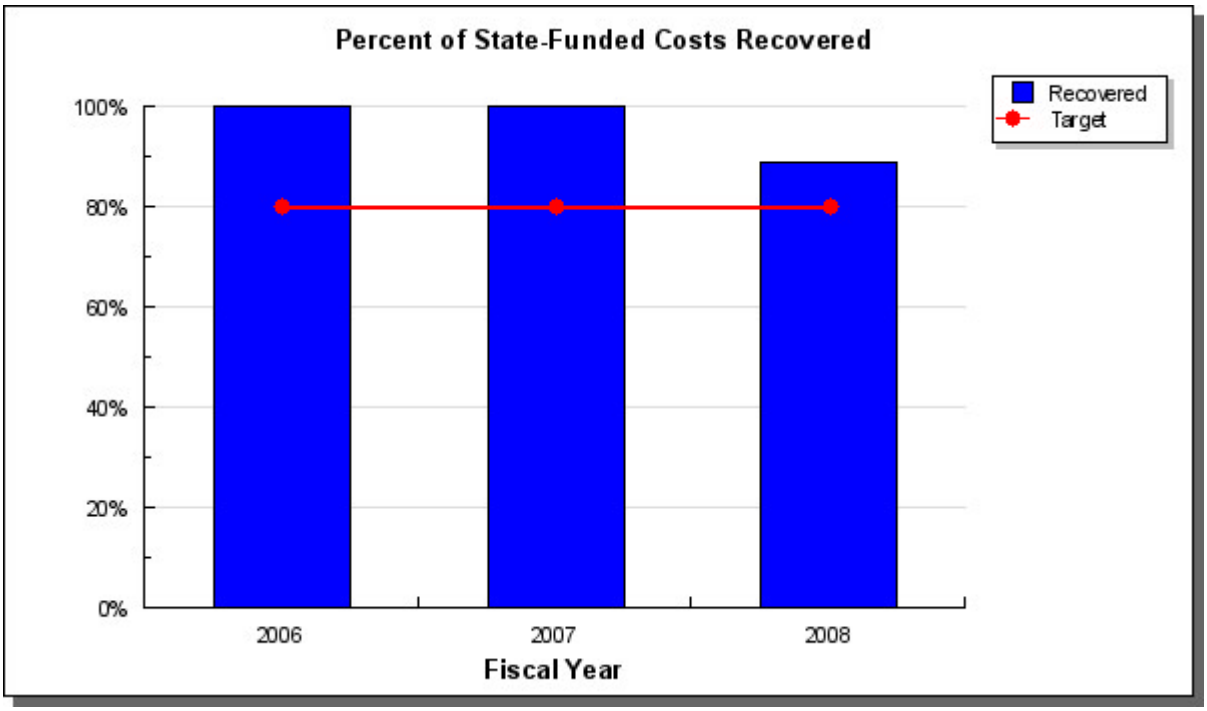
FY2010 Component Budget: $1,470,500

Personnel:	
Full time	5
Part time	0
Total	5

Performance

A: Result - State is reimbursed for funds spent on cleanup or remediation of oil or hazardous substance spills caused by private and/or federal entities.

Target #1: Recover 80% of cost recoverable state funding spent on cleanup or remediation of oil or hazardous substance spills caused by private and/or federal entities.
Status #1: Recovered over 80% of cleanup and/or remediation costs from oil and hazardous substance spills caused by private and/or federal entities.



Methodology: The percent of costs recovered is determined by dividing the total cost recovered by the total dollars spent.

Analysis of results and challenges: When the state incurs expenditures for response, cleanup, or remediation of a spill or contamination caused by oil or hazardous substances, Alaska Statutes require the department promptly seek reimbursement for those costs. In cases lacking an identified responsible party, the state either absorbs the cost of cleanup or requests reimbursement through the National Pollution Fund Center if it is determined that the spill condition meet their specific criteria. State expenditures for travel, contractual, supplies, equipment, and legal guidance are tracked for each site. Staff time is tracked and an average salary cost for each position classification is applied to ensure that personal services costs are equitably charged. As costs accumulate, a summary invoice with backup documentation is prepared monthly and forwarded to project managers for review and validation. Billing packages are forwarded to Department of Law where they are reviewed and sent to the responsible party(s).

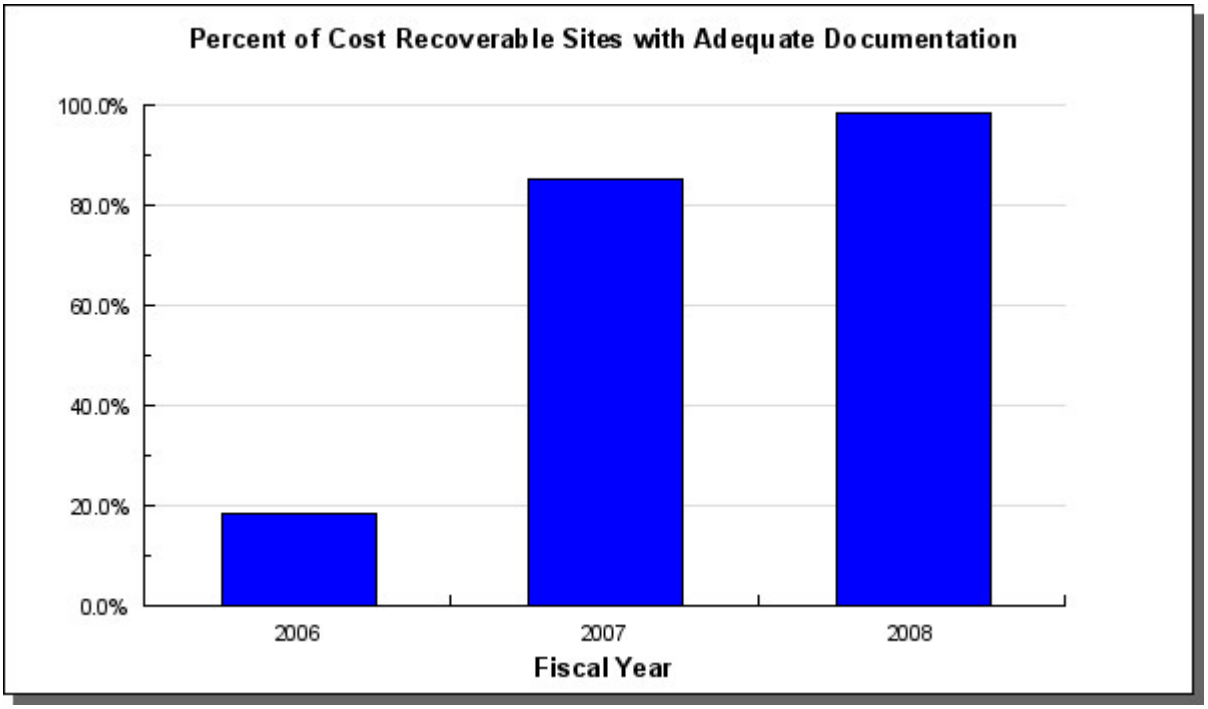
Not all costs are recovered in the same year as the expenditures. After billings are sent, it may take several months,

or even several years to actually recover costs, depending on the size and complexity of the spill. Due to the time lag between billings and receipt of payments, more may be recovered in a single year than was expended. Data that covers several years will provide the best picture of cost recovery success.

The FY 2008 data indicates that the Response Fund Administration program is continuing to meet or exceed the 80% target.

A1: Strategy - Provide adequate documentation to the Department of Law for cost recoverable sites.

Target #1: Adequate documentation is provided for 100% of cost recoverable sites.
Status #1: Adequate documentation has been provided to the Department of Law for over 85% of cost recoverable sites.



Methodology: The percent of cost recoverable sites with adequate documentation is determined by dividing the number of sites with adequate documentation by the total number of cost recoverable sites.

Analysis of results and challenges: In order for the state to recover costs on response, cleanup or remediation activities, staff compiles documentation related to those costs paid by the state. State expenditures for travel, contractual, supplies, equipment and legal guidance are tracked for each site. Hours spent by staff are tracked and documented on site logs, and an average salary cost is applied so that personal services costs are equitably charged rather than being based on actual range and step of an employee. As costs accumulate, a summary invoice with backup documentation is prepared monthly and forwarded to project managers for review and validation. Next, the Response Fund Administration prepares the billing packages and submits this billing information to the Department of Law.

The FY 2006 data reflects the cost recovery staff working exclusively on the M/V Selendang Ayu incident. The larger the state cost, the more involved the billing process is. Therefore, there was a sharp reduction in the number of billing packets being sent to the Department of Law in FY 2006. The fiscal years 2007 and 2008 reflect a steady climb toward the target of providing adequate documentation to the Department of Law for 100% of cost recoverable sites.

Water Results Delivery Unit

Contribution to Department's Mission

Protect water quality and assist communities in improving sanitation conditions.

Core Services

- Provide grants, loans and engineering assistance for drinking water, sewerage, and solid waste facilities.
- Improve water quality conditions where they are below public health or environmental standards.
- Issue wastewater discharge permits to facilities and operations that release potentially harmful pollutants.
- Ensure facility compliance with permit conditions.
- Provide community assistance with the protection of water quality.
- Develop user friendly public access to water quality data.
- Provide training programs for and certification of water and sewerage system operators.
- Provide over-the-shoulder and emergency assistance to system operators in remote communities.

Major Activities to Advance Strategies

- Identify Best Management Practices (BMP's) addressing all types of non-point source pollution.
- Ensure water quality standards to protect all uses of Alaska's fresh and marine waters.
- Monitor water quality and report on the health of Alaska's waters.
- Enforce the State's wastewater discharge standards through the review of cruise vessel monitoring reports and conduct independent DEC sampling.
- Conduct inspections and follow up with facility operators to correct noncompliance or take enforcement actions.
- Administer grants and loans.
- Provide engineering and technical assistance to communities.
- Train water and wastewater facility operators.

FY2010 Resources Allocated to Achieve Results

FY2010 Results Delivery Unit Budget: $23,143,600

Personnel:	
Full time	121
Part time	0
Total	121

Component: Water Quality

Contribution to Department's Mission

Identify, abate, and control water pollution in a cost effective, accountable manner to protect public health and preserve the many uses of Alaska's waters.

Core Services

- Issue wastewater discharge permits to industrial facilities and municipal domestic wastewater discharges.
- Ensure compliance with wastewater discharge authorizations by evaluating self-reported monitoring results and conducting facility inspections.
- Establish and update water quality standards and criteria for the protection of Alaska waterbodies.
- Monitor and assess the condition of Alaska's waters to identify pollution caused by human activities and to determine where controls are needed.
- Prioritize and clean up polluted waters.
- Reduce non-point sources of pollution in Alaska waterbodies by identifying and implementing Best Management Practices (BMP's).
- Award and manage grants for stewardship, protection and restoration needs of waters throughout Alaska.
- Monitor cruise ship environmental and sanitation practices.
- Ensure cruise vessel compliance with wastewater discharge and air emission standards.
- Provide information about permitted discharges and commercial passenger vessel discharges.
- Conduct ambient water quality and wastewater monitoring for permitted discharges.
- Certify and provide technical assistance for domestic wastewater disposal systems.

End Result	Strategies to Achieve End Result
A: Water Quality is protected. Target #1: No polluted waters. Status #1: The total number of polluted waters has declined 13% in six years, with eight polluted waters restored in FY 2008 alone.	**A1: Protect and restore polluted waterbodies to attain their designated uses.** Target #1: 25% of polluted waterbodies have active stewardship, protection and restoration activities each year. Status #1: In FY 2008, 39% of polluted waterbodies had active stewardship, protection and restoration activities, a 9% increase from the previous year. **A2: Issue discharge permits/authorizations.** Target #1: 100% of DEC-managed dischargers have current permits/authorizations. Status #1: In FY 2008, 61% of the 209 dischargers managed by DEC had current permits/authorizations. Target #2: 100% of Army Corps of Engineers dredge and fill ("404") permits are certified by DEC. Status #2: In FY 2008, 80% of Army Corps of Engineers dredge and fill (“404”) permits were certified. **A3: Enforce compliance with permit/authorization conditions.**

	Target #1: 100% of inspected facilities have performed follow-up actions required by inspection reports. Status #1: 96% of inspected water facilities performed follow-up actions required by inspection reports in FY 2008.

Major Activities to Advance Strategies

- Implement state primacy as authority transitions from EPA to the state.
- Implement wastewater discharge permitting and compliance functions formerly conducted by EPA.
- Certify that wetlands fill projects authorized by the Corps of Engineers meet Alaska water quality standards.
- Establish best management practices to control non-point pollution and protect water quality.
- Report to the public on the health of Alaska's waters.
- Develop and implement recovery plans for all polluted waters.
- Implement pollution prevention strategies to protect waters from rapid urban development and other areas with high human use.
- Provide pass-through funding and technical assistance to municipalities, local groups, and other state agencies to address water quality issues.
- Revise water quality standards to ensure they continue to protect Alaska's water.
- Continue to improve a risk-based permitting and inspection program for wastewater discharges.
- Implement and improve an on-line permit application, tracking, and reporting system to speed up permit reviews and oversight.

FY2010 Resources Allocated to Achieve Results

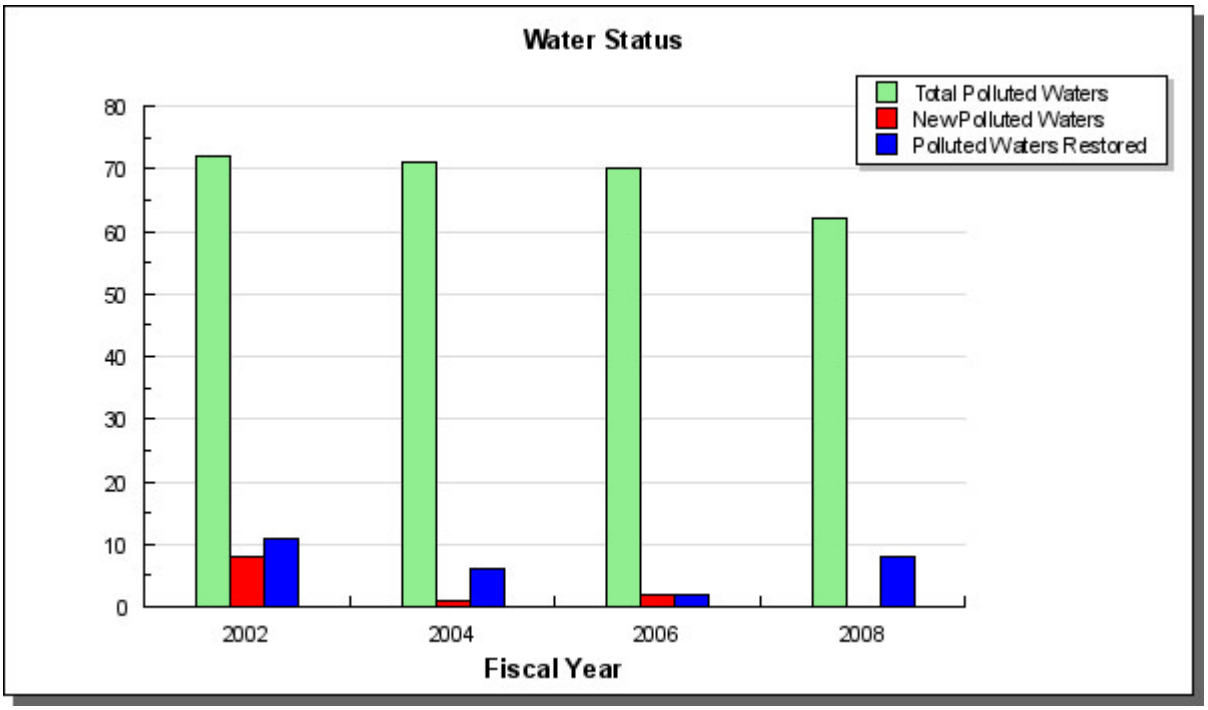
FY2010 Component Budget: $15,925,800

Personnel:	
Full time	84
Part time	0
Total	84

Performance

A: Result - Water Quality is protected.

Target #1: No polluted waters.
Status #1: The total number of polluted waters has declined 13% in six years, with eight polluted waters restored in FY 2008 alone.



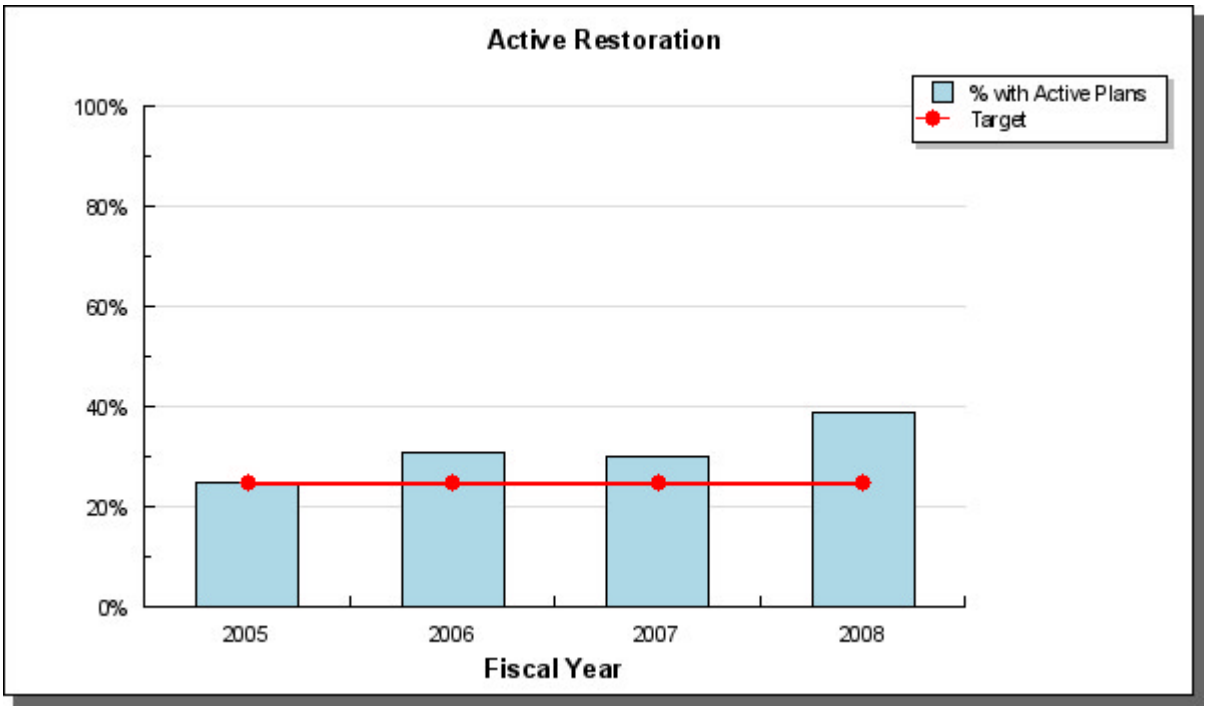
Methodology: The number of polluted waters is based on the Integrated Water Quality Monitoring and Assessment Report which Alaska is required to submit to the EPA every 2 years under Clean Water Act section 305(b). In this Report, the polluted waters are broken into two categories – impaired waters with a recovery plan (category 4) and impaired waters without a recovery plan (category 5). The list of category 5 impaired waters is also subject to EPA approval under Clean Water Act section 303(d). In previous year's operating budgets, this performance measure only counted 303(d) listed impaired waters. However, total polluted waters for all reporting years have changed to count both category 4 and 5 waters, since waters in both categories do not meet water quality standards, although category 4 waters are improving as recovery plans are implemented.

Analysis of results and challenges: The number of polluted waters has slowly declined since 2002. More waters have been restored than have become polluted during this period. Recovery can be a result of the actions of DEC, permit holders, landowners or other responsible parties affecting the waterbody as well as natural recovery over time.

The challenge in reducing the number of polluted waters is recognizing that pollution is a dynamic situation. Even as polluted waterbodies are being restored, new waterbodies may become polluted due to the growth in Alaska's population and the associated urban development. Pollution pressures are also being seen in rural areas that are heavily used for recreation, tourism and fishing. The key to making progress in reducing the number of polluted waters is to control pollution before it reaches the environment through wastewater discharge permits, best management practices and other controls for non-point source pollution (i.e. small sources that are not controlled by permits such as motor boats). DEC must also take action to restore those waters that become polluted despite DEC's best pollution prevention efforts.

A1: Strategy - Protect and restore polluted waterbodies to attain their designated uses.

Target #1: 25% of polluted waterbodies have active stewardship, protection and restoration activities each year.
Status #1: In FY 2008, 39% of polluted waterbodies had active stewardship, protection and restoration activities, a 9% increase from the previous year.



Methodology: Stewardship, protection and restoration projects may be conducted by grantees who have received funds through the Alaska's Clean Water Actions (ACWA) grant program, by contractors, by other State agencies, or by DEC personnel. The number of these projects is then divided by the number of total polluted waters as determined in the Integrated Water Quality Monitoring and Assessment Report to calculate the percentage of waters with active restoration projects.

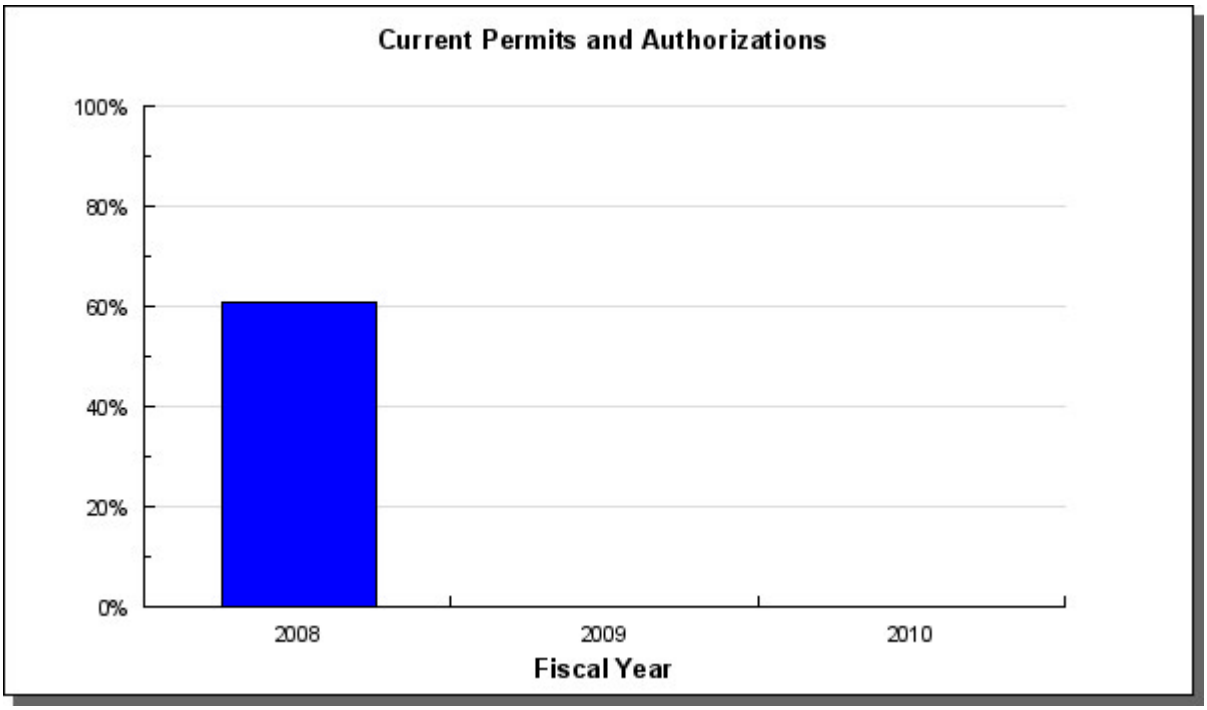
Analysis of results and challenges: The number of stewardship, protection and restoration projects has remained relatively stable since 2005: 18 projects were completed in FY 2005, 22 projects in FY 2006, 21 projects in FY 2007, and 24 projects in FY 2008. Over the same period, the number of polluted waterbodies has declined from 71 polluted waters in 2005 to 62 polluted waters in 2008. Therefore, the percentage of polluted waters for which the state has ongoing projects has risen slightly over this period.

Prioritizing actions on threatened and polluted waters is done through the Alaska Clean Water Act (ACWA) program, which is a cooperative effort of DEC, DF&G and DNR. The ACWA program provides a consolidated approach for a complete assessment of the health and status of any particular waterbody. Likewise, it provides a means to coordinate the use of State funds so that they can be directed to those projects that truly represent the State's highest priorities.

The challenges for the ACWA grant program include maintaining the participation level of multiple agencies using diverse and changing funding sources to achieve the joint mission of protecting Alaska's water resources for the designated uses of drinking, fishing, and recreation. The original funding source (EPA grant) has been declining, which is expected to continue over the next few years. While each new funding source has a relation to water protection, only the EPA grant has the flexibility to apply to all water protection and restoration projects. General funds are not used to fund the ACWA grants, but are used as match to federal funding for some restoration projects accomplished by contractors, other state agencies and DEC.

A2: Strategy - Issue discharge permits/authorizations.

Target #1: 100% of DEC-managed dischargers have current permits/authorizations.
Status #1: In FY 2008, 61% of the 209 dischargers managed by DEC had current permits/authorizations.



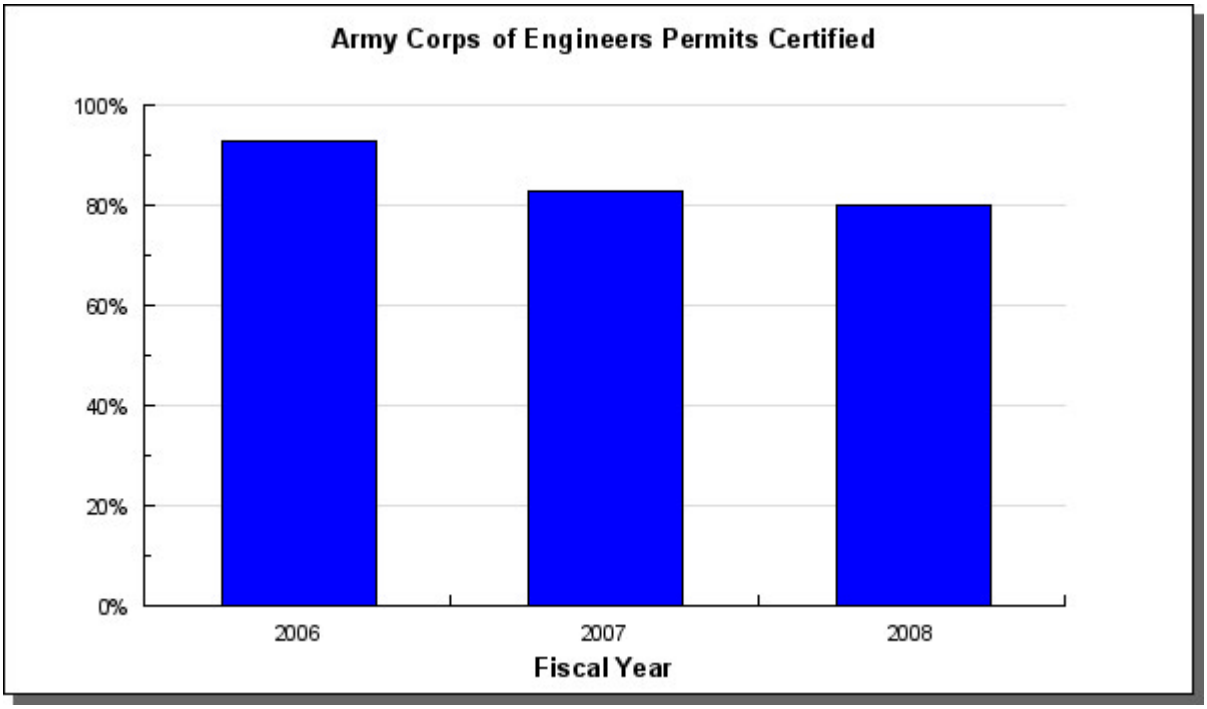
Methodology: Data source: DROPS Data Management System – Alaska managed permits only. For the purposes of this performance measure, administratively extended permits are not considered current. Note: The 2008 data includes state permits that should have been issued by EPA but were not.

Analysis of results and challenges: By November 2008 DEC anticipates that EPA will begin delegation of the surface water discharge permitting program to Alaska. In the first phase, DEC will assume domestic wastewater, seafood processing, fish hatcheries, and log-transfer facilities. DEC will also inherit a backlog of expired, extended and pending permits from EPA. The normal term for discharge permits is five years. Both EPA and DEC can administratively extend them although they may no longer be current with new regulations and water quality standards. The number of permits that DEC is responsible for will increase each year until 2011 when transfer of the program from EPA is complete.

DEC's goal is to increase the percentage of up-to-date permits over time as we assume and manage increasing numbers of permits from EPA. As DEC "inherits" expired permits from EPA over the next 3-year period, the percentage of permits that are current may decrease, while DEC works to update this backlog of old permits. We will also continue to update permits for those discharges that the State has always permitted and managed (i.e. subsurface discharges from leach systems to groundwater). This metric will reflect total effort to ensure that discharges to Alaska's surface and ground waters have permits with protective standards and do not pose risk to human health and aquatic life.

The challenge is conversion of a major program to DEC management from that of the federal government, with excellent data management, defensible permits, and public notice and participation to keep Alaskans informed about their waters. In FY 2008, 61% of the 209 dischargers managed by DEC had current permits/authorizations.

Target #2: 100% of Army Corps of Engineers dredge and fill ("404") permits are certified by DEC.
Status #2: In FY 2008, 80% of Army Corps of Engineers dredge and fill (“404”) permits were certified.



Methodology: Information from DROPS data management system. The percent certified and percent waived sum to 100%.

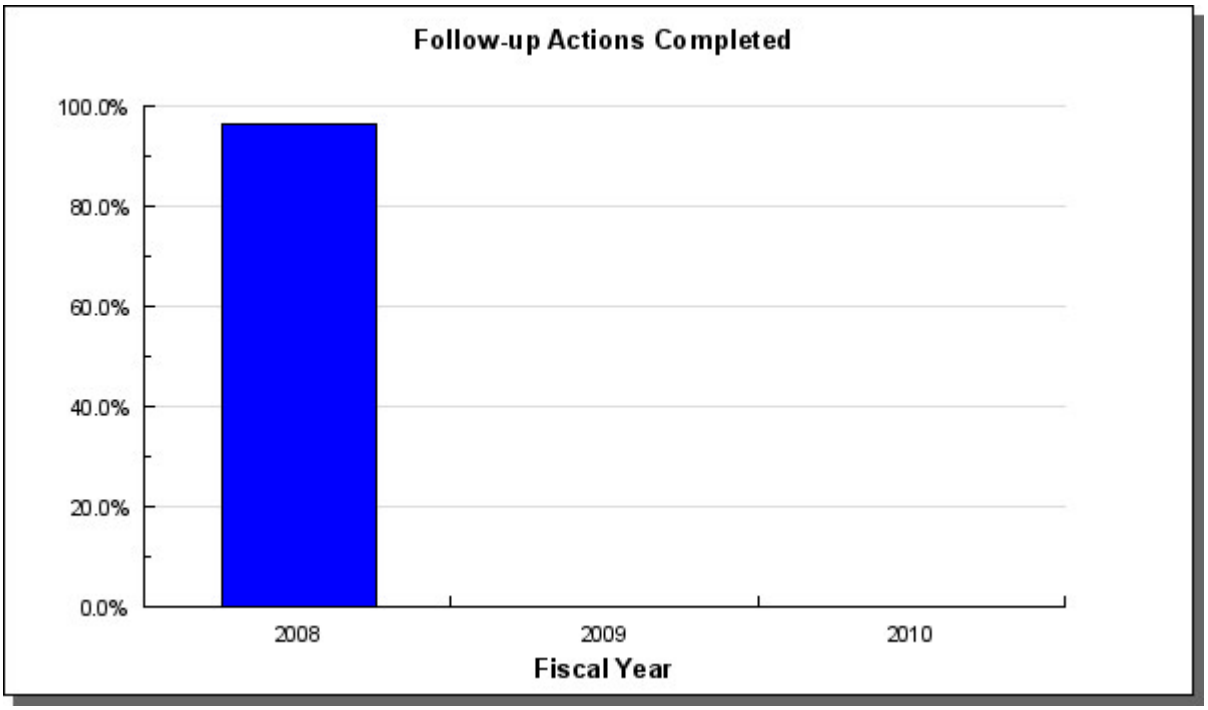
Analysis of results and challenges: DEC ensures that permits for wetland fill issued by the Army Corps of Engineers do not negatively impact water quality through provisions in the Clean Water Act. These construction projects can increase sediment loads in surface waters, introduce pollutants from operating machinery in surface waters, and degrade habitat. DEC has a strong history of reviewing these projects and cooperating with other agencies to protect Alaska’s waters. Many large new development projects, like mines, require Army Corps of Engineer permits.

Many routine Army Corps projects are not reviewed since the agencies have agreed upon standard protective measures for them. Larger projects do require review, although DEC can waive review if impacts from them are considered minor. In FY 2008, DEC reviewed and authorized 91 projects and waived 25. A small percentage was not reviewed. While the staffing allocation for this program has remained constant, vacancies and new hires resulted in lower percentages reviewed in FY 2007 and FY 2008.

DEC’s goal is to review and certify that all Army Corps permits meet state water quality provisions. The number of permits waived or not reviewed should decrease, but with existing staff (1.5 FTEs) the goal may not be attained each year if the Army Corps of Engineers receives a large number of permit applications.

A3: Strategy - Enforce compliance with permit/authorization conditions.

Target #1: 100% of inspected facilities have performed follow-up actions required by inspection reports.
Status #1: 96% of inspected water facilities performed follow-up actions required by inspection reports in FY 2008.



Methodology: DEC staff log inspection information into the DROPS Data Management System. Of inspected facilities where follow-up actions were required, actual occurrence of follow-up actions as reported by the DEC inspector is measured.

Analysis of results and challenges: Few facilities are 100% compliant with the terms and conditions of the discharge permit at the time of the inspection. Facility inspection reports document areas of permit non-compliance and require that the facility take action(s) to come into compliance without prescribing in detail what actions to take. The inspection report requires that the facility notify DEC when the facility actions have been taken.

In FY 2008, 54 inspected facilities required follow-up actions after an inspection was completed. Of those, 52 performed the follow-up actions. Unless there is a potential threat to human health or the environment as the result of non-compliance, DEC rarely schedules an immediate follow-up inspection to physically verify that that actions taken by the facility fully address the identified area(s) of non-compliance.

Component: Facility Construction

Contribution to Department's Mission

Assist communities in improving sanitation conditions.

Core Services

- Provide grants, loans and engineering assistance for drinking water, sewerage, and solid waste facilities.
- Provide training programs for and certification of water and sewerage system operators.
- Provide over-the-shoulder and emergency assistance to system operators in remote communities.

End Result	Strategies to Achieve End Result
A: Citizens are protected from unsafe sanitation facilities. Target #1: 100% of serviceable rural Alaska homes are served by safe and sustainable sanitation facilities. Status #1: The Village Safe Water Program has seen an annual average increase of 2.5% for serviceable rural Alaska homes served by safe and sustainable sanitation facilities over the past nine years; nearly 90% being served by the end of FY 2008.	**A1: Allocate funding based on health related needs.** Target #1: 2.5% increase in rural sanitation health related deficiencies met each year. Status #1: Due to the continuing increase in rural sanitation health related deficiencies each year and the continuous decline of funding available to meet these needs, there has been a continuous decline in the number of health related deficiencies met each year. **A2: Increase operator certification compliance.** Target #1: 2% annual increase in the number of regulated systems that comply with water supply system operator certification requirements. Status #1: The operator certification program has seen a 5% increase in two years for the number of regulated systems that comply with water supply system operator certification requirements.

Major Activities to Advance Strategies

- Provide engineering and technical assistance to communities in planning, designing, and constructing sanitation facilities.
- Issue grants and track grant payments.
- Execute loan agreements and track loan payments.
- Administer grants and loans.
- Train water and wastewater facility operators and respond to facility emergencies.

FY2010 Resources Allocated to Achieve Results

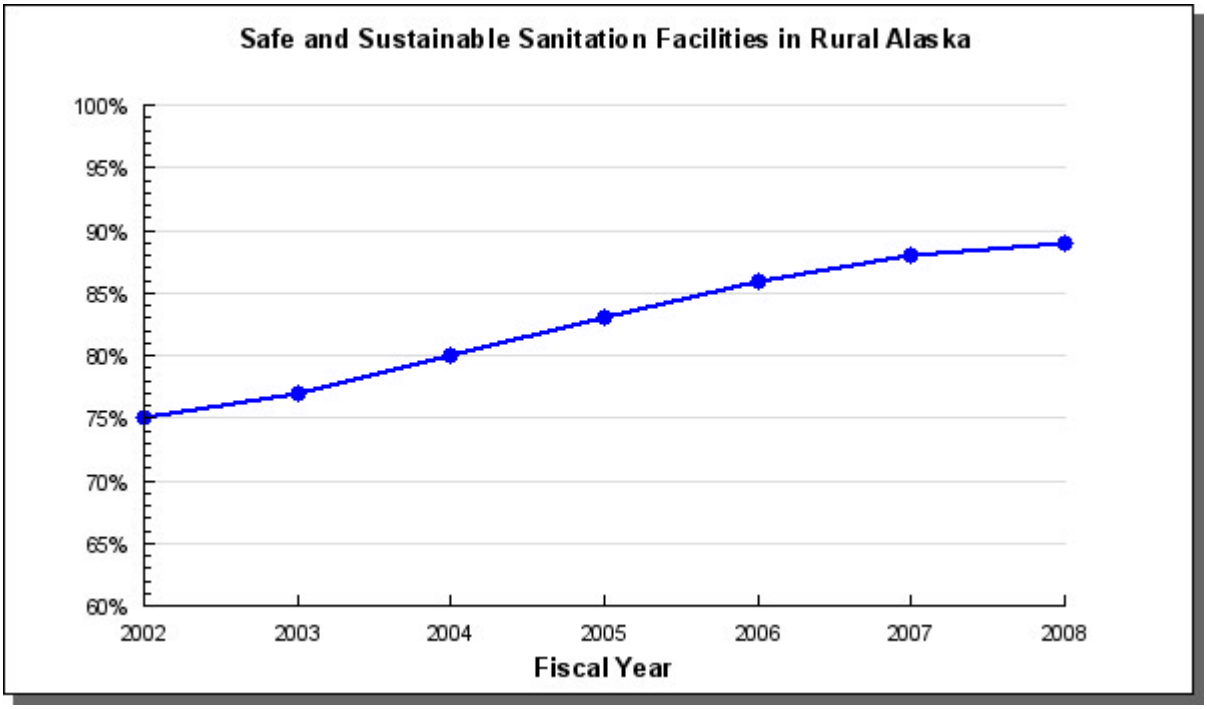
FY2010 Component Budget: $7,217,800

Personnel:	
Full time	37
Part time	0
Total	37

Performance

A: Result - Citizens are protected from unsafe sanitation facilities.

Target #1: 100% of serviceable rural Alaska homes are served by safe and sustainable sanitation facilities.
Status #1: The Village Safe Water Program has seen an annual average increase of 2.5% for serviceable rural Alaska homes served by safe and sustainable sanitation facilities over the past nine years; nearly 90% being served by the end of FY 2008.



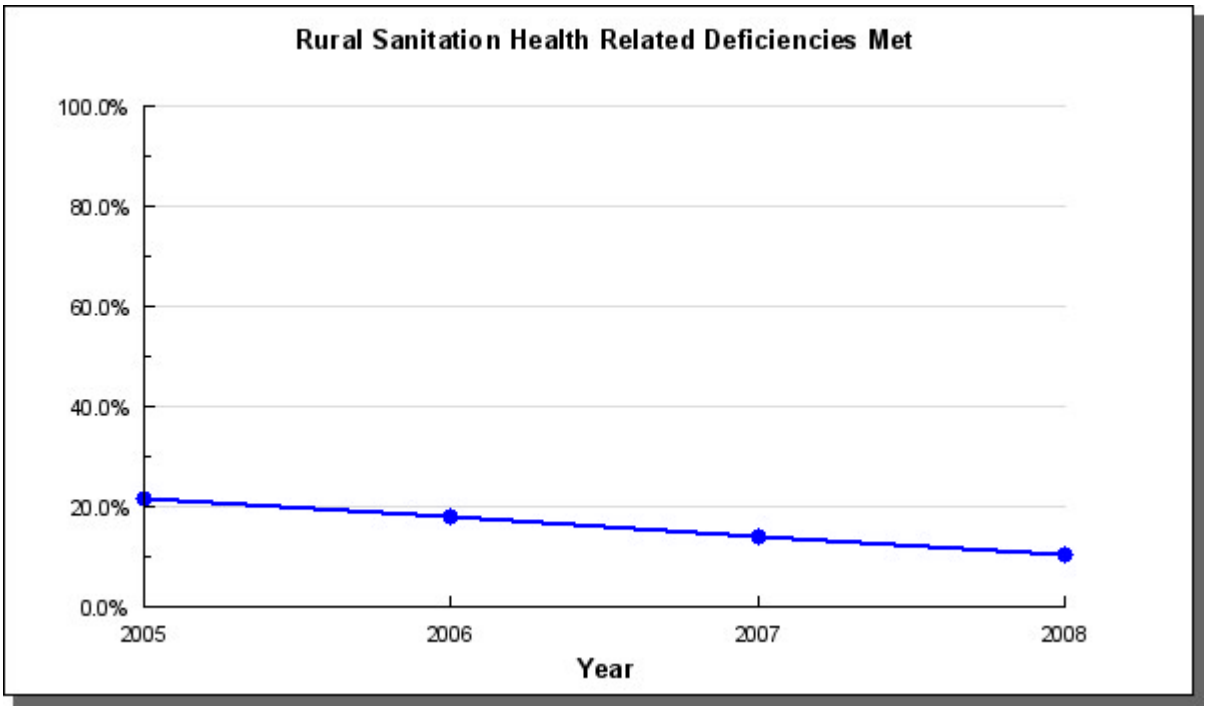
Methodology: Total number of serviceable housing units divided by total number of homes connected for service.

Analysis of results and challenges: By assisting communities plan, design and construct drinking water and wastewater infrastructure, the Village Safe Water (VSW) program is making progress in achieving its goal that 100% of serviceable rural Alaskan homes have access to safe and sustainable sanitation systems. A serviceable home is defined as a year-round occupied home located in an area where piped, closed haul or individual septic tanks/wells are feasible. A sanitation system is defined as sustainable if the community managing it has the financial, technical and managerial capacity to properly operate and maintain it over a period of time which equals or exceeds the system's design life.

Over the last nine years, the percentage of rural Alaska homes served by adequate sanitation systems has increased from 66% to 89%. This equates to an annual average increase of 2.5%. Contingent upon the availability of sufficient funding, the program's target is to maintain momentum at this rate.

A1: Strategy - Allocate funding based on health related needs.

Target #1: 2.5% increase in rural sanitation health related deficiencies met each year.
Status #1: Due to the continuing increase in rural sanitation health related deficiencies each year and the continuous decline of funding available to meet these needs, there has been a continuous decline in the number of health related deficiencies met each year.



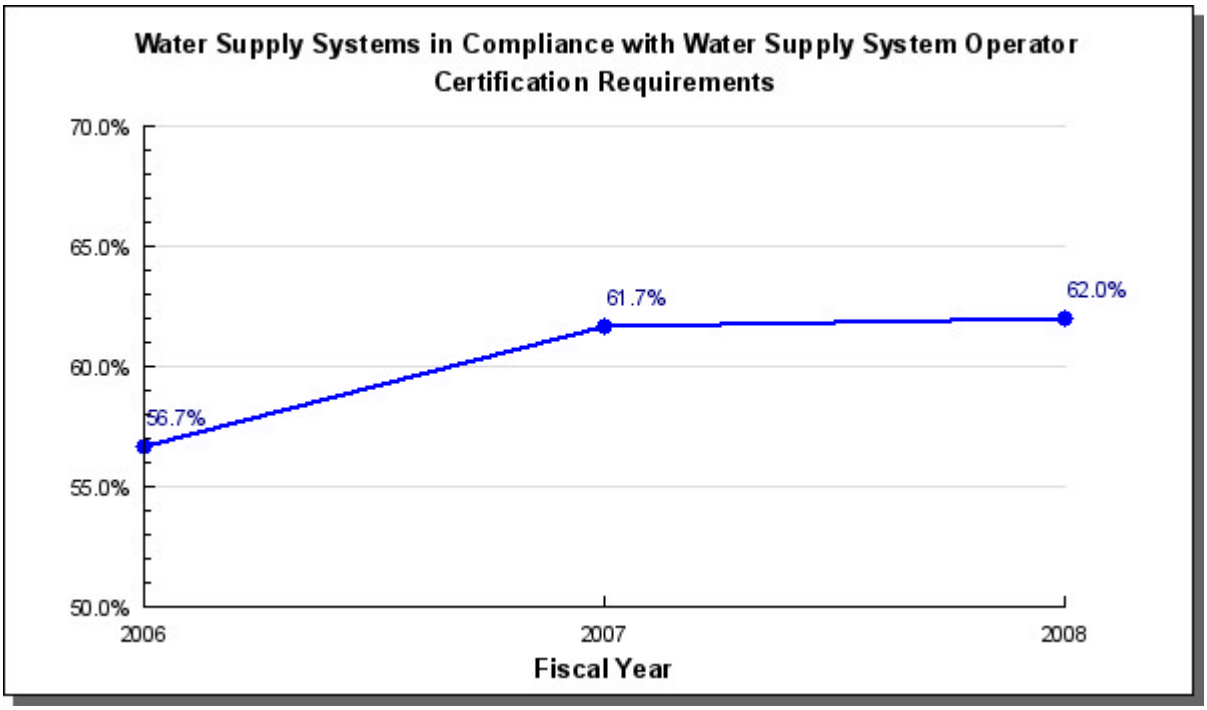
Methodology: Annual funding for sanitation improvements available divided by total health related need.

Analysis of results and challenges: Using State and federal funds, the Village Safe Water (VSW) program assists rural Alaska communities plan, design, and construct sanitation projects which address health related water and sewer deficiencies. Over the past several years, the estimated cost of addressing these deficiencies has increased significantly (due to inflation, regulatory changes and aging facilities), while funding has decreased.

In FY 2008, the total health related need was estimated at $592,300 while the total funding (State and federal) to meet those needs came in at $61,500. Therefore only 10% of health related deficiencies were met in FY 2008. In contrast, the total health related need in FY 2005 was $433,600 with total funding (State and federal) totaling $94,700, meeting approximately 22% of health related deficiencies in the state. Because of the increasing costs of these needs and the declining funding to meet those needs, this presents a challenge to increasing health related sanitation deficiencies met by an average of 2.5% annually. Achieving this goal will require sufficient funding, targeting resources to projects that will do the most good, and utilizing limited funding efficiently and effectively.

A2: Strategy - Increase operator certification compliance.

Target #1: 2% annual increase in the number of regulated systems that comply with water supply system operator certification requirements.
Status #1: The operator certification program has seen a 5% increase in two years for the number of regulated systems that comply with water supply system operator certification requirements.



Methodology: The number of water supply systems that employ an operator certified at the correct level is divided by the total number of water supply systems that are subject to this requirement. This calculation yields a decimal, which is multiplied by 100 to arrive at a percentage of water supply systems that are in compliance with this requirement. In FY 08, 396 out of 639 systems or 62% were in compliance with this requirement.

Analysis of results and challenges: Water system operators are responsible for safeguarding public health. Certification validates that operators have the qualifications necessary to meet this responsibility. The State's Operator Certification (OC) program classifies water systems based on system size and complexity and determines whether operators have experience and knowledge commensurate with the system's classification. In order to assist operators with achieving certification, the OC program offers training and administers examinations.

Although the OC program oversees certification in water treatment, water distribution, wastewater treatment and wastewater collection, this measure is limited to drinking water supply system certification as it is related most directly to public health. This measure also excludes systems with less than 25 users or systems where users obtain water on a house by house basis (private wells or rain catchments) since these systems are not subject to operator certification requirements.